

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LOUIS FLORES,

Plaintiff,

-v-

UNITED STATES DEPARTMENT OF JUSTICE,

Defendant.

17 Civ. 36 (JGK)

DECLARATION OF TRICIA FRANCIS

I, Tricia Francis, declare the following to be a true and correct statement of facts:

1. I am an Attorney-Advisor with the Executive Office for United States Attorneys ("EOUSA"), United States Department of Justice ("DOJ"). I am assigned to the component of EOUSA that administers the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 (2006), as amended by the OPEN Government Act of 2007, Pub. L. No. 110-175, 121 Stat. 2524, and the Privacy Act of 1974 ("PA"), 5 U.S.C. § 552a (2006).

2. As an Attorney-Advisor, my duties include the following: (1) acting as a liaison with other divisions and offices of DOJ when responding to FOIA/PA requests; (2) reviewing FOIA/PA requests for records located in this office and in the ninety-four United States Attorney Offices ("USAO") around the country and in U.S. territories; (3) reviewing searches conducted in response to FOIA requests, (4) preparing EOUSA's responses to these requests to assure that determinations to withhold or release records are in accordance with FOIA and DOJ regulations 28 C.F.R. §§ 16.3 *et seq.*, and 16.40 *et seq.*, and (5) assisting with the defense of EOUSA's position in FOIA/PA cases that are filed in U.S. District Court, where EOUSA is a defendant.

3. Due to the nature of my official duties, I am familiar with the procedures that were followed by EOUSA in response to Plaintiff's FOIA request of April 25, 2016. The statements I make in this Declaration are based upon my review of the official files and records of EOUSA, my own personal knowledge, and information acquired by me through the performance of my official duties.

Administrative Background

4. On April 25, 2016, by way of an email, the requestor submitted his FOIA request to EOUSA's FOIA/PA Staff, in which he requested the following:

- a) All records and information pertaining to dates, times, hosts, locations, and other information pertaining to speeches made by U.S. Attorney Bharara since he commenced serving as U.S. Attorney for the Southern District of New York;
- b) All records, *complete* recordings in any format whatsoever (either digital or physical), *complete* transcripts, and other information pertaining to the *complete* speeches made by U.S. Attorney Bharara, including any question and answer sessions, since he commenced serving as U.S. Attorney for the Southern District of New York;
- c) All records and information pertaining to the costs of paid by the U.S. Attorney's Office for U.S. Attorney Bharara and his staff to travel to and attend the appearances made outside of Manhattan, where U.S. Attorney Bharara has delivered speeches, including, but limited to, air fare, ground transportation, hotel accommodations, meals, entertainment, *per diem* allowances, and all other costs incidental or associated with speeches made by U.S. Attorney Bharara; and
- d) All records and information pertaining to the policies, procedures, customs, traditions, guidelines, or other instructions followed by staff of the U.S. Attorney's Office for the Southern District of New York to record in any format whatsoever (either digital or physical), transcribe, and/or preserve any recordings and/or transcriptions of the speeches made by U.S. Attorney Bharara since he commenced serving as U.S. Attorney for the Southern District of New York.

See Attachment A at Page 3 of 6 (Letter from Louis Flores to EOUSA, April 25, 2016).

5. Also, Mr. Flores requested that his FOIA request be handled on an expedited basis, and that he be granted a fee waiver on the grounds that his request concerned a matter of public interest, and that he claimed to qualify as a member of the news media. *Id.* at Page 3 of 6 to Page 6 of 6.

6. On May 23, 2016, by way of a letter, EOUSA acknowledged Mr. Flores's FOIA request, designated it as FOIA Request No. 2016-02319, and notified Mr. Flores that his request had been assigned to the "Complex" handling track. *See* Attachment B (EOUSA's Acknowledgment Letter, May 23, 2016). EOUSA also informed Mr. Flores that unless he was granted a fee waiver or reduction, certain costs could be associated with processing his request, namely \$40 per hour for search and review after the first two hours, and duplication fees of five cents per page after the first 100 pages. *Id.*

7. On the same date, by way of a second letter, EOUSA denied Mr. Flores's request for expedited processing, because his April 25, 2016 letter did not present facts that would warrant granting his request for expedited processing. *See* Attachment C (EOUSA's Response to Request for Expedited Processing).¹

8. On the same date, EOUSA submitted Mr. Flores's request to the U.S. Attorney's Office for the Southern District of New York ("USAO-SDNY") for a search for responsive records.

9. At some point subsequent to May 23, 2016, the FOIA point of contact for the USAO-SDNY informed EOUSA's FOIA/PA Staff that the first two hours of search time had been used, and that 28 more hours of search time was needed to search for records responsive to Mr. Flores's FOIA request.

¹ Our records show that Mr. Flores submitted a duplicative FOIA request to DOJ's Office of Public Affairs ("OPA"), where he also requested expedited processing. OPA denied this request. *See* Attachment D (OPA's Response to Request for Expedited Processing).

10. On August 15, 2016, EOUSA, by way of a letter, denied Mr. Flores's request for a fee waiver, on the basis that he did not meet all the requirements of the "public interest" standard. *See* Attachment E (Fee waiver denial letter, August 15, 2016).

11. On the same date, EOUSA issued a fee letter to Mr. Flores, in which it assessed a search fee of \$1,120.00, for the 28 additional hours of search time that the FOIA point of contact for the USAO-SDNY estimated would be needed to locate records responsive to Mr. Flores's FOIA request. *See* Attachment F (Fee Letter, August 15, 2016).

12. On November 14, 2016, by way of a letter, EOUSA informed Mr. Flores that his FOIA request was being administratively closed, because he did not respond to the fee letter that was issued to him on August 15, 2016, or provide the advance payment assessed by that letter. EOUSA also notified Mr. Flores that he could administratively appeal EOUSA's response to his FOIA request. *See* Attachment G (Closing Letter, November 14, 2016).

13. On August 19, 2016, Mr. Flores appealed EOUSA's fee waiver denial letter, among other things, to DOJ's Office of Information Policy ("OIP"). *See* Attachment H (Appeal to OIP by Louis Flores, August 19, 2016).

14. On December 8, 2016, by way of a letter, OIP remanded Mr. Flores's request for a fee waiver back to EOUSA for further consideration. *See* Attachment I (OIP's Disposition Letter for Appeal No. DOJ-AP-2016-004870, December 8, 2016).

15. On January 3, 2017, Mr. Flores filed a Complaint in the U.S. District Court for the Southern District of New York, regarding FOIA Request No. 2016-02319.

EOUSA's Post-Remand Actions in FOIA Request 2016-02319

16. On April 12, 2017, by way of a letter, EOUSA re-assessed Mr. Flores's request for a fee waiver, granted his request on public interest grounds, and notified him that all materials being

made available to him would be provided at no charge. *See* Attachment J (Fee Waiver Grant Letter, April 12, 2017).

17. The FOIA point of contact for the USAO-SDNY, along with other members of staff at the District, resumed their search for responsive records. Virtually all responsive records were found at the District, and, based on information that the District provided to EOUSA, were found to be public records. Accordingly, a first interim release of responsive records was made to Mr. Flores on April 27, 2017, which included, among other things, the prepared text of remarks, visual aids, photographs of demonstratives, and other materials associated with speeches, press conferences, testimony, and other public appearances by U.S. Attorney Bharara. *See* Attachment K (First Interim Release, April 27, 2017). The records that were contained in the first interim release were all released in full.

18. On June 2, 2017, EOUSA issued a second interim release of records to Mr. Flores. *See* Attachment L (Second Interim Release, June 2, 2017). Again, the records that were contained in the second interim release were found at the District and consisted of public records. The second interim release of records included, among other things, an additional copy of the materials that were sent to Mr. Flores as part of the first interim release on or about April 27, 2017.

19. Between on or about June 3 and on or about June 14, 2016, the FOIA point of contact for the USAO-SDNY provided EOUSA with approximately 1,243 pages for its review and release determinations. Additional records were reviewed by various members of staff at the USAO-SDNY.

20. On June 16, 2017, EOUSA issued the third and final release of records pursuant to Mr. Flores's FOIA request, where it released some pages in full and some pages in part, and withheld some pages in full, as well as releasing a number of video files in full. A number of the pages

that were withheld in full were determined to be, upon review, non-responsive to Plaintiff's FOIA requests. EOUSA also asserted FOIA Exemptions (b)(5) and (b)(6) as to certain withheld records or portions of records.² The records or portions of records that were withheld were reviewed to determine if any information could be segregated for release. *See* Attachment M (Third and Final Release, June 16, 2017). The third and final release of records included, among other things, additional documents that appeared to reflect the final version of the prepared text of remarks given by U.S. Attorney Bharara, transcripts of remarks given by U.S. Attorney Bharara, videos of remarks and press conferences given by U.S. Attorney Bharara, cost reports responsive to Mr. Flores's FOIA request, email correspondences and attachments thereto responsive to Mr. Flores's FOIA request, and records reflecting policies and guidance relating to record retention by U.S. Attorneys.

21. During the course of reviewing the interim and final releases of documents in this case, I located one document that was erroneously withheld in full. I understand that on January 31, 2018, the USAO-SDNY released this document in part to Mr. Flores.

EOUSA'S DISCLOSURE DETERMINATION

Identification of Responsive Records

22. The responsive records located in this matter were reviewed by EOUSA's FOIA/PA Staff, and members of staff at the USAO-SDNY. The FOIA point of contact for the USAO-SDNY provided the records to EOUSA, having maintained these records in the following file systems and/or locations: (1) records maintained by the USAO-SDNY Press Office; (2) budget systems maintained by the USAO-SDNY; and (3) email systems and archives, and network

² At the time that documents responsive to Plaintiff's request were initially processed for release, Exemption (b)(7)(C) was also applied to some withheld records or portions of records, but all assertions of Exemption (b)(7)(C) have now been withdrawn.

folders, maintained by the USAO-SDNY, in particular network folders maintained by and on behalf of then-U.S. Attorney Preet Bharara, and email archives and network folders maintained by the Associate U.S. Attorney of the USAO-SDNY. The FOIA point of contact for the USAO-SDNY also provided to EOUSA records obtained from the internal Department of Justice Network, known as "USANet," as well as a record relating to record creation and disposition that was provided by EOUSA to then-U.S. Attorney Bharara, which was maintained in EOUSA's files.

Exemption 5 U.S.C. § 552 (b)(5)

23. FOIA Exemption (b)(5) protects against disclosure of privileged records, which are not ordinarily available to a party in litigation. In this case, the attorney-client and deliberative process privileges are implicated, and such materials are protected by Exemption 5.

24. Here, certain records that were included in EOUSA's third and final release contained attorney-client privileged information, and certain records demonstrated the deliberative process of members of staff at the USAO-SDNY and EOUSA's OGC, when ethical questions relating to the U.S. Attorney's attendance at an event were raised, reviewed, and discussed for the purpose of advising the U.S. Attorney about ethical issues relating to his attendance and participation in events involving outside organizations, and then finally resolved. EOUSA thus asserted this exemption categorically because such records reflect matters such as confidential communications between and among attorneys and professional responsibility officers at the District and EOUSA's OGC made for the purpose of obtaining or providing legal advice regarding ethical obligations and rules, as well as pre-decisional deliberations regarding the legal issues they were assessing and discussing. As is EOUSA's policy, the substance of the records was withheld in their entirety, and is exempt from disclosure pursuant to these privileges.

25. Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. To disclose this information would also reveal pre-decisional communications among government personnel such as discussions regarding various legal and ethical issues. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.

Exemption 5 U.S.C. § (b)(6)

26. Exemption (b)(6) of the FOIA protects "personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C. § 552(b)(6). Courts have interpreted "similar files" very broadly and applied Exemption (b)(6) to protect personally identifiable information relating to individuals that is found in government records, including names, addresses, signatures, and other "bits" of information that could be used to identify an individual.

27. Here, members of staff at the USAO-SDNY who were tasked with the responsibility of advising the U.S. Attorney on ethical issues, including issues relating to his attendance at and participation in events sponsored by outside organizations, along with, in some instances, members of EOUSA's Office of General Counsel ("OGC"), engaged in email exchanges, where their identities and contact information were shared. Likewise, the names, contact information, and in some cases, certain identifying numbers (for example, tax ID numbers) associated with the members of organizations (and the organizations themselves) that extended invitations to the U.S. Attorney to attend and participate in their events were also revealed in emails or other records that were partially or fully withheld from release. Accordingly, Exemption (b)(6) is being applied to withhold the identities of and personally identifiable information about these

government employees and third party individuals, where the release of this information could subject these individuals to an clearly unwarranted invasion of their personal privacy, and where there is no counterbalancing public interest in the disclosure of this information. As noted above, at the time that documents responsive to Plaintiff's request were initially processed for release, Exemption (b)(7)(C) was also applied to protect some of the personally identifying information discussed herein, but all assertions of Exemption (b)(7)(C) have now been withdrawn.

28. Release of the identifying information of staff at the District, the OGC, and the third parties contained in the records that were withheld could result in clearly unwanted, unwarranted, and even unlawful efforts to gain additional access to these individuals and/or personal information about them, or cause them harassment, harm, or exposure to unwanted and/or derogatory publicity, all to their detriment. Some examples of the identifying information that the government seeks to protect are as follows: a) name and contact information of AUSAs who are advising the U.S. Attorney on ethical issues; b) name and contact information of EOUSA's OGC attorneys; c) names, identifying information, and contact information of third parties who are not government employees, included in records that are not publicly available.

29. EOUSA has determined that there is no public interest in the release of this information because the dissemination of this information would not help to explain the activities of EOUSA or the government. No public interest would counterbalance the privacy rights in the information withheld under this exemption. In contrast, the names of public figures such as U.S. Attorney Bharara have not been withheld pursuant to Exemption (b)(6). Accordingly, on balance, release of the withheld information relating to non-public employees at the District or

EOUSA, or relating to third parties who corresponded with the District, could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy, and there is no public interest in the requested information sufficient to overcome this privacy interest.

30. Moreover, no third-party individual provided authorization or consent to disclose such information. *Cf.* 5 U.S.C. § 552a(b) (No agency shall disclose any record . . . contained in a system of records . . . except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains unless otherwise authorized by law).


31. In accordance with *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), attached hereto is an index that completely and accurately describes the material withheld on the pages processed by the EOUSA FOIA Office and the bases for the withholdings. *See* Attachment N.

SEGREGABILITY

32. All information withheld was exempt from disclosure pursuant to a FOIA exemption. After EOUSA considered the segregability of the requested records, no reasonably segregable non-exempt information was withheld from plaintiff.

Pursuant to 28 U.S.C. §1746, I declare under the penalty of perjury that the foregoing is true and correct, to the best of my knowledge and belief.

Executed this 31st day of January, 2018, Washington, D.C.



Tricia Francis
FOIA/PA Staff
EOUSA

ATTACHMENT A

Francis, Tricia (USAE0)

From: Louis Flores <louis.flores@progressqueens.com>
Sent: Monday, April 25, 2016 6:34 AM
To: USAEO-FOIA Requests
Cc: Margolin, James (USANYS); Louis Flores
Subject: FOIA Request : Speeches of U.S. Attorney Preet Bharara (EOUSA) // Progress Queens
Attachments: 2016-04-25 USAO SDNY Preet Bharara Speeches - FOIA Request.pdf

25 April 2016

REQUEST UNDER FREEDOM OF INFORMATION ACT **Expedited Processing Requested**

Ladies and Gentlemen :

Good morning, I submit the attached request under the Freedom of Information Act, or FOIA, covering **four (4) categories** of documents (A)(1-4) pertaining to the speeches made by U.S. Attorney Preet Bharara.

In this FOIA Request, I ask for expedited processing, and I make a request for a fee waiver. Accordingly, I look for a written determination to be made **within ten (10) days**.

If you have any questions about the requests for these four (4) categories of documents, **please do not hesitate to contact me today**. *See* 28 eCFR § 16.3(b). *See also Davis v. DHS*, No. 11-CV-0203, 2013, WL 3288418 (E.D.N.Y. June 27, 2013)(Ross, J.) (noting that if an agency has questions about a FOIA Request, the agency should contact the requestor).

Thank you kindly.

Best regards,

-- Louis

Louis Flores
Publisher
Progress Queens
louis.flores@progressqueens.com
1 (646) 400-1168

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Progress Queens, Inc.
34-21 77th Street, #406
Jackson Heights, New York 11372

Louis Flores
Publisher
louis.flores@progressqueens.com
1 (646) 400-1168

25 April 2016

VIA E-MAIL : USAEO.FOIA.REQUESTS@USDOJ.GOV

Susan B. Gerson, Acting Assistant Director,
FOIA/Privacy Unit,
Executive Office for United States Attorneys,
U.S. Department of Justice,
Room 7300, 600 E Street, N.W.,
Washington, DC 20530-0001.

Ladies and Gentlemen :

Re : REQUEST UNDER FREEDOM OF INFORMATION ACT
Expedited Processing Requested

This letter constitutes a request (« Request ») pursuant to the Freedom of Information Act (« FOIA » or the « Act »), 5 U.S.C. § 552 *et seq.*, the U.S. Department of Justice implementing regulations, 28 C.F.R. § 16.1 *et seq.*, the President's Memorandum of January 21, 2009, 74 Fed. Reg. 4683 (Jan. 26, 2009), and the Attorney General's Memorandum of March 19, 2009, 74 Fed. Reg. 49,892 (Sept. 29, 2009). I submit this Request as the publisher of Progress Queens, a news Web site.

This Request seeks information and records pertaining to speeches made by U.S. Attorney Preet Bharara, the nation's top Federal prosecutor for the Southern District of New York.

Because U.S. Attorney Bharara gives inspiring and witty speeches, he has become a popular public speaker. At a speech delivered on 23 January 2015 at New York Law School, U.S. Attorney Bharara referred to the many speeches he has delivered, saying, in relevant

part, that he speaks « to business groups and to students at business school, » adding that he speaks « to hedge fund industry folks and heads of banks and people, who are involved in compliance and law enforcement. »

As a consequence of the important work done by U.S. Attorney Bharara and the prosecutors of the U.S. Attorney's Office for the Southern District of New York, there are understandably great media and public interest in his speeches. For U.S. Attorney Bharara's speech delivered at New York Law School on 23 January 2015, he spoke to a capacity audience. Every seat was taken, and there were attendees forced to stand at the far end of the large conference room for his speech. There might even have been an over-flow room to accommodate the many other individuals, who could not fit into the main conference room, where U.S. Attorney Bharara spoke that day then. The media, who was present that day, widely quoted from U.S. Attorney Bharara's speech, because his office had filed a criminal complaint against then New York Assembly Speaker Sheldon Silver (D-Lower East Side) the day before, and the media and members of the public were eager to hear U.S. Attorney Bharara's remarks about the prevalence of political and campaign corruption in the New York State capital. A report filed by the journalist Marc Santora for *The New York Times* noted that U.S. Attorney Bharara lamented the loss of faith by voters in the face of political and campaign corruption, saying that, « When politician after politician after politician elected by the voters falls to criminal charges, people lose faith, » for example. See Marc Santora, *U.S. Attorney Criticizes Albany's 'Three Men in a Room' Culture*, *The New York Times* (Jan. 23, 2016), <http://www.nytimes.com/2015/01/24/nyregion/us-attorney-preet-bharara-criticizes-albanys-three-men-in-a-room-culture.html>. A report filed by the journalist Will Bredderman for *The New York Observer* noted that U.S. Attorney Bharara encouraged citizens to get involved in demanding reforms to address political and campaign corruption, saying, « When so many of their leaders can be bought for a few thousand dollars, they should maybe be angry. » See Will Bredderman, *Preet Bharara Blasts 'Three Men in a Room' After Sheldon Silver Arrest*, *The New York Observer* (Jan. 23, 2016), <http://observer.com/2015/01/preet-bharara-blasts-three-men-in-a-room-after-sheldon-silver-arrest/>.

Because of the great influence that U.S. Attorney Bharara exerts over Government and politics as a consequence of the corruption prosecutions brought by the U.S. Attorney's Office, he was named as the most powerful individual in the New York State capital in 2015 by *The New York Observer*. See Jillian Jorgensen et al., *State of Confusion : Albany's Top 40 Power Players*, *The New York Observer* (Oct. 6, 2015), <http://observer.com/2015/10/state-of-confusion-albanys-top-40/>.

Notwithstanding the prolific nature of U.S. Attorney Bharara's speech-making, information about the dates and places for the numerous speeches given by U.S. Attorney Bharara are not *completely* known, and, importantly, *complete* audio or video recordings, or *complete* written transcripts, of those speeches are not publicly-available. **Without this information, the public is unable to hear or read in U.S. Attorney Bharara's own words the important work being done by his office.** I make the following requests for information in hopes of filling that void.

A. Requested Records

1. All records and information pertaining to dates, times, hosts, locations, and other information pertaining to speeches made by U.S. Attorney Bharara since he commenced serving as U.S. Attorney for the Southern District of New York ;
2. All records, *complete* recordings in any format whatsoever (either digital or physical), *complete* transcripts, and other information pertaining to the *complete* speeches made by U.S. Attorney Bharara, including any question and answer sessions, since he commenced serving as U.S. Attorney for the Southern District of New York ;
3. All records and information pertaining to the costs of paid by the U.S. Attorney's Office for U.S. Attorney Bharara and his staff to travel to and attend the appearances made outside of Manhattan, where U.S. Attorney Bharara has delivered speeches, including, but limited to, air fare, ground transportation, hotel accommodations, meals, entertainment, *per diem* allowances, and all other costs incidental or associated with speeches made by U.S. Attorney Bharara ; and
4. All records and information pertaining to the policies, procedures, customs, traditions, guidelines, or other instructions followed by staff of the U.S. Attorney's Office for the Southern District of New York to record in any format whatsoever (either digital or physical), transcribe, and/or preserve any recordings and/or transcriptions of the speeches made by U.S. Attorney Bharara since he commenced serving as U.S. Attorney for the Southern District of New York.

B. Application For Expedited Processing

I request expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E) ; 22 C.F.R. § 171.12(b) ; 28 C.F.R. § 16.5(d) ; 32 C.F.R. § 286.4(d)(3) ; 32 C.F.R. § 1900.34(c). There is a « compelling need » for these records, because the information requested is urgently needed in order to be disseminated to inform the public about actual or alleged Federal Government activity. *See* 5 U.S.C. § 552(a)(6)(E)(v) ; *see also* 22 C.F.R. § 171.12(b)(2) ; 28 C.F.R. § 16.5(d)(1)(ii) ; 32 C.F.R. § 286.4(d)(3)(ii) ; 32 C.F.R. § 1900.34(c)(2).

In addition, the records sought relate to a « breaking news story of general public interest. » *See* 22 C.F.R. § 171.12(b)(2)(i) ; 32 C.F.R. § 286.4(d)(3)(ii)(A) ; *see also* 28 C.F.R. § 16.5(d)(1)(iv) (providing for expedited processing in relation to a « matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence »).

As a reporter, I am « primarily engaged in disseminating information » within the meaning of the statute and regulations. *See* 5 U.S.C. § 552(a)(6)(E)(v)(II) ; 22 C.F.R. § 171.12(b)(2) ; 28 C.F.R. § 16.5(d)(1)(ii) ; 32 C.F.R. § 286.4(d)(3)(ii) ; 32 C.F.R. § 1900.34(c)(2). Dissemination of information to the public is a critical and substantial component of my mission and work, and I have written about the need for the speeches of U.S. Attorney Bharara to be made public. *See, e.g., Preet Bharara gives a public speech before the press, but there is no recording or transcript. Why ?*, Progress Queens (April 9, 2016),

Susan B. Gerson, Acting Assistant Director
FOIA/Privacy Unit
25 April 2016
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<http://www.progressqueens.com/editorial/2016/4/9/preet-bharara-gives-a-public-speech-before-the-press-but-there-is-no-recording-or-transcript>. I publish a news Web site, Progress Queens ; several blogs ; produce YouTube videos ; and manage several Twitter feeds.

The records and information sought directly relate to a breaking news story of general public interest that concerns the important and relevant public remarks made by one of the Federal Government's most influential officers, U.S. Attorney Bharara, who routinely speaks about matters pertaining to fighting political, campaign, and corporate corruption, as well as about the criminal charges that Federal prosecutors with the U.S. Department of Justice or other prosecutors bring against notable individuals in Government and business. The records and information sought will help inform the public about these subject matters, particularly given that the work in which the U.S. Attorney's Office for the Southern District of New York is engaged involves a history-making series of prosecutions targeting corruption that will lead to a wave of reforms in Government and business. For these reasons, the records and information sought relate to a « matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence. » See 28 C.F.R. § 16.5(d)(1)(iv).

There have been news reports in which U.S. Attorney Bharara has highlighted the importance of the work done by his office. In some of these news reports, U.S. Attorney Bharara has also placed an emphasis on his speech-making as acting as a form of a deterrence of corruption, thereby making his speeches a critical part of his duties as a significant Federal Government official. In a report published by *The New York Observer* about one of U.S. Attorney Bharara's speeches, it was noted that he « declared today that his corruption investigations would spur the improvement of a political system that he said had < broken down. > ». The same report further noted that U.S. Attorney Bharara argued « that raising the public's awareness of corruption is part of his job. » That news report quoted U.S. Attorney Bharara as saying, in relevant part, during his speech that, « So whether it's gang violence or cyber crime or national security or drug trafficking or a prescription pill epidemic or fraud on Wall Street, it's fundamentally important to talk about those issues so that ... we are not just focusing on prosecuting crime but also preventing and deterring [--] and raising public awareness is a central part of that responsibility. » See Ross Barkan, *Preet Bharara Says He'll Spur Improvement of Political System That Has < Broken Down, >* The New York Observer (April 24, 2015), <http://observer.com/2015/04/preet-bharara-says-hell-spur-improvement-of-political-system-that-has-broken-down/>. Despite the importance U.S. Attorney Bharara has placed on his speeches, his office does not uniformly post recordings or transcripts of his speeches online. A transcript exists for remarks he provided before a public hearing held by the Moreland Commission. See Preet Bharara, *U.S. Attorney Preet Bharara Testifies At The Public Hearing Of The Moreland Commission To Investigate Public Corruption*, U.S. Department of Justice (Sept. 18, 2013), <https://www.justice.gov/usao-sdny/speech/us-attorney-preet-bharara-testifies-public-hearing-moreland-commission-investigate>. See also Preet Bharara, *Prepared Remarks Of U.S. Attorney Preet Bharara Public Corruption In New York : More Than A Prosecutor's Problem Citizens Crime Commission*, U.S. Department of Justice (April 22, 2013), <https://www.justice.gov/usao-sdny/speech/prepared-remarks-us-attorney-preet-bharara-public-corruption-new-york-more> (making publicly-available a transcript of prepared remarks made by U.S. Attorney

Bharara at a speech delivered before an event hosted by the Citizens Crime Commission). However, similar publicly-available recordings or transcripts do not exist for all of his speeches.

Because some of these speeches take place in private setting, in locations outside of New York, or behind the paywalls of conventions that charge membership and/or registration fees, often the public or the media are unable to attend to record or Livestream the *entirety* of the speeches made by U.S. Attorney Bharara, necessitating this request. In the past, U.S. Attorney Bharara has delivered speeches in Stanford, California ; Frankfort, Kentucky ; and in the resort town of Saratoga Springs, New York, for example. See Stanford Graduate School of Business, *U.S. Attorney Preet Bharara on Leading Ethical Organizations*, YouTube (March 2, 2015), <https://youtu.be/NuWj6QmOra8> ; Rebecca Davis O'Brien, *Preet Bharara, in Kentucky, Rails Against Corruption*, The Wall Street Journal (Jan. 6, 2016), <http://www.wsj.com/articles/preet-bharara-goes-to-kentucky-to-speak-about-corruption-1452055126>. See also Nathan Tempey, *The FBI Is Investigating de Blasio's Fundraising, Too*, Gothamist (April 9, 2016), http://gothamist.com/2016/04/09/de_blasio_fund-raising_corruption.php (providing only *one quote* out of the *entire* speech made by U.S. Attorney Bharara in Saratoga Springs, New York).

In comparison, other significant Federal Government officials follow policies for making their speeches publicly-available. For example, Federal Reserve Bank officials post information about the date, location, and a transcript of their speeches on the World Wide Web, and this information is sortable by year and sometimes include hyperlinks to digital recordings of the speeches. See, e.g., Board of Governors of the Federal Reserve System, *Speeches of Federal Reserve Officials*, Federal Reserve Bank (2016), <https://www.federalreserve.gov/newsevents/speech/2016speech.htm>. But for U.S. Attorney Bharara, such *complete*, publicly-available information does not appear to exist.

C. Application for Waiver or Limitation of Fees

I request a waiver of search, review, and duplication fees on the grounds that disclosure of the requested records is in the public interest, because it « is likely to contribute significantly to public understanding of operations or activities of the government and is not primarily in the commercial interest of the requester. » See 5 U.S.C. § 552(a)(4)(A)(iii) ; 22 C.F.R. 171.17(a) ; see also 28 C.F.R. § 16.11(k)(1) ; 32 C.F.R. § 286.28(d) ; 32 C.F.R. § 1900.13(b)(2).

As discussed above, numerous news accounts reflect the considerable public interest in the requested records and information. Given the ongoing and widespread media attention to this issue, the records and information sought in the instant Request will significantly contribute to public understanding of the operations and activities of the U.S. Attorney's Office for the Southern District of New York with regard to how it conducts its work to combat political, campaign, and business corruption. See 22 C.F.R. 171.17(a)(1) ; 28 C.F.R. § 16.11(k)(1)(i) ; 32 C.F.R. § 286.28(d) ; 32 C.F.R. § 1900.13(b)(2). Moreover, disclosure is not in my commercial interest. Any information disclosed by me as a result of this Request will be available to the public at no cost. Thus, a fee waiver would fulfill Congress's legislative intent in amending FOIA. See *Judicial Watch Inc. v. Rossitti*, 326 F.3d 1309, 1312 (D.C. Cir. 2003) (« Congress amended FOIA to ensure that it be < liberally

Susan B. Gerson, Acting Assistant Director
FOIA/Privacy Unit
25 April 2016
Page 6 of 6

construed in favor of waivers for noncommercial requesters. » » (citation omitted)) ; OPEN Government Act of 2007, Pub. L. No. 110-175, 121 Stat. 2524, § 2 (Dec. 31, 2007) (finding that « disclosure, not secrecy, is the dominant objective of the Act, » but that « in practice, the Freedom of Information Act has not always lived up to the ideals of that Act »).

I also request a waiver of search and review fees on the grounds that I qualify as a « representative of the news media, » and the records and information are not sought for commercial use. *See* 5 U.S.C. § 552(a)(4)(A)(ii) ; 28 C.F.R. § 16.11(d). Accordingly, fees associated with the processing of the Request should be « limited to reasonable standard charges for document duplication. » *See* 5 U.S.C. § 552(a)(4)(A)(ii)(II) ; *see also* 32 C.F.R. § 286.28(e)(7) ; 32 C.F.R. § 1900.13(i)(2) ; 22 C.F.R. 171.15(c) ; 28 C.F.R. § 16.11(d) (search and review fees shall not be charged to « representatives of the news media »).

I meet the statutory and regulatory definitions of a « representative of the news media » because I function as an « entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience. » *See* 5 U.S.C. § 552(a)(4)(A)(ii)

* * *

Pursuant to applicable statute and regulations, I expect determination regarding expediting processing within 10 calendar days. *See* 5 U.S.C. § 552(a)(6)(E)(ii)(I) ; 22 C.F.R. 171.12(b) ; 28 C.F.R. § 16.5(d)(4) ; 32 C.F.R. § 286.4(d)(3) ; 32 C.F.R. § 1900.21(d).

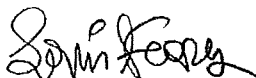
If the Request is denied in whole or in part, I ask that you justify all deletions by reference to specific exemptions to FOIA. We expect the release of all segregable portions of otherwise exempt material. We reserve the right to appeal a decision to withhold any information or to deny a waiver of fees.

Thank you for your prompt attention to this matter. Please furnish all applicable records to :

Louis Flores
Progress Queens, Inc.
34-21 77th Street, No. 406
Jackson Heights, NY 11372

I affirm that the information provided supporting the request for expedited processing is true and correct to the best of my knowledge and belief.

Sincerely,



Louis Flores

cc : James Margolin (via e-mail : james.margolin@usdoj.gov)

ATTACHMENT B



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information & Privacy Staff

600 E Street, N.W.

Suite 7300, Bicentennial Building

Washington, DC 20530-0001

(202) 252-6020 FAX: 252-6047 (www.usdoj.gov/usao)

May 23, 2016

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319

Date of Receipt: April 25, 2016

Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

The Executive Office for United States Attorneys (EOUSA) has received your Freedom of Information Act/Privacy Act (FOIA/PA) request. It has been assigned the above number. Please give us this number if you write about your request. If we need additional information, we will contact you within two weeks.

For your information, EOUSA assigns incoming requests to one of three tracks: simple, complex, or expedited. Each request is then handled on a first-in, first-out basis in relation to other requests in the same track. As an estimate, the likely median response time for simple requests is approximately 30 business days, whereas complex requests necessarily take longer. At this time, your request has been assigned to the Complex track.

Please be advised that there may be certain costs associated with processing your request. Consequently, you may be responsible for paying those costs, unless you have requested and been granted a waiver or reduction in fees. In most instances, the first 100 pages to duplicate and the first two hours to search for records responsive to your request, will be provided to you free of charge. Thereafter, search and review fees by professional personnel are charged at \$40 per hour and duplication fees are assessed at five cents per page.

Requests that are specific, concrete and of limited scope (in time and/or subject matter) generally enable us to respond to you more quickly and possibly assess less fees. You may decide to limit or reduce the estimated fees, or obtain a quicker response, by modifying your request in one or more ways specified in the attachment to this letter. If after making those allowances we determine that the cost to process your request will amount to more than \$25.00, we will notify you in writing at a later date.

By making a FOIA/PA request, you have agreed to pay fees up to \$25, as stated in 20 CFR § 16.3(c), unless you have requested a fee waiver. Although you appear to qualify as a requester who is not subject to search fees, please note that pursuant to 28 CFR § 16.11, if you have not been granted a fee waiver, we are required to charge duplication fees at \$0.05 per page after the first 100 pages which are free. Please do not send any payment at this time! If we anticipate that fees will exceed \$25 or the amount you have stated in your letter (if greater than \$25), we will normally notify you of our estimate of fees. After we have received your agreement to pay for the expected fees (or you have narrowed your request to reduce fees) and we have processed your request, we

will require payment for the accumulated charges before we release documents to you. Without such payment, your request file will be closed without further action.

If you wish to revise your request to try to reduce fees, you may use the attached form. If you do not wish to incur fees for your request as it is not stated, please submit this form (or your letter revising your request) to us immediately so that your request, and fees, can be limited.

Sincerely,

A handwritten signature in black ink, appearing to read "Th. D. Anderson", with a long horizontal flourish extending to the right.

Thomas D. Anderson
Acting Assistant Director

Requester: Louis Flores Request Number: FOIA-2016-02319

CHOOSE ONE

_____ **I understand that I am entitled to the first 100 pages free.** Please process only up to 100 pages that can be released to me.

_____ I wish to withdraw my request.

_____ I wish to revise my request to try to reduce fees. Please limit my request to the following documents:

Name

Date _____

Please return to:

EOUSA
FOIA/PA Staff
600 E Street, N.W., Room 7300
Washington, D.C., 20530

ATTACHMENT C



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information & Privacy Staff

600 E Street, N.W.

Suite 7300, Bicentennial Building

Washington, DC 20530-0001

(202) 252-6020 FAX: 252-6047 (www.usdoj.gov/usao)

May 23, 2016

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319

Date of Receipt: April 25, 2016

Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

Dear Mr. Flores:

This is in response to your letter dated April 25, 2016 (and received in our office on April 25, 2016), in which you request expedited treatment of your Freedom of Information Act/Privacy Act request. As you may know, expedited treatment allows one requester to receive processing of his or her request ahead of other requesters who have already filed their requests. Not surprisingly, such a displacement of others who have legal rights to a prompt agency response cannot be done except under circumstances that clearly warrant the action, as carefully defined by agency regulation. The Department of Justice has published its rules for granting expedited processing at 28 C.F.R. § 16.5(d).

You have sought expedited treatment under 28 C.F.R. § 16.5(d)(ii). After careful consideration of your letter, I have concluded that you have not presented a case that would warrant granting expedited processing ahead of others. Your letter does not detail any circumstances that would allow me to grant your request. A person seeking expedited processing should show (1) circumstances in which the lack of expedited treatment could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; (2) an urgency to inform the public about an actual or alleged federal government activity, if made by a person primarily engaged in disseminating information; (3) that a loss of substantial due process rights is involved; or (4) that the request involves a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence. Therefore, in the absence of any such justification, I must deny your request for expedited treatment. Please note that since you also requested expedited treatment under subsection 28 C.F.R. § 16.5(d)(iv), we sent your request to the Office of Public Affairs for its decision on expedited processing of your request pursuant to DOJ regulations. The Office of Public Affairs has also denied expedited processing. Please see the attached letter.

We are currently proceeding to process your request in the normal order.

If you are not satisfied with my response to your request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may

submit an appeal through OIP's FOIAonline portal by creating an account on the following website: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within sixty days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." If you are dissatisfied with the results of any such administrative appeal, judicial review may thereafter be available in U.S. District Court, 20 C.F.R. § 16.9.

Sincerely,

A handwritten signature in black ink, appearing to read "Th. D. Anderson", with a long horizontal flourish extending to the right.

Thomas D. Anderson
Acting Assistant Director

ATTACHMENT D

FOIA Requests for Expedited Processing Under Public Affairs Standard

Requester: Louis Flores

Date of Letter: 4/25/16

Organization: Progress Queens

Date of PAO Receipt: 4/26/16

Subject: *Records related to the speeches of US Attorney Preet Bharara*

28 C.F.R. § 16.5 (e)(1)(iv): "A matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence."

Prong 1

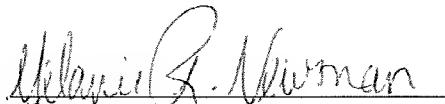
- () Topic of request **IS** a matter of "widespread and exceptional media interest."
(X) Topic of request **IS NOT** a matter of "widespread and exceptional media interest."

Prong 2

- () Topic of request **IS** a matter "in which there exist possible questions about the government's integrity which affect public confidence."
(X) Topic of request **IS NOT** a matter "in which there exist possible questions about the government's integrity which affect public confidence."

Accordingly

- () Request for expedited processing under standard (iv) is **GRANTED**.
(X) Request for expedited processing under standard (iv) is **DENIED**.


Melanie Newman
Director, Office of Public Affairs

5/6/16
Date

ATTACHMENT E



U.S. Department of Justice

*Executive Office for United States Attorneys
Freedom of Information & Privacy Staff
600 E Street, N.W.
Suite 7300, Bicentennial Building
Washington, DC 20530-0001
(202) 252-6020 FAX: 252-6047 (www.usdoj.gov/usao)*

August 15, 2016

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319

Date of Receipt: April 25, 2016

Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

Dear Mr. Flores:

Thank you for your Freedom of Information Act/Privacy Act request dated April 25, 2016 and received in our office on April 25, 2016.

In your letter, you requested a fee waiver if applicable. Federal regulation 28 CFR § 16.10(k) sets forth the requirements for a waiver or reduction of fees. After carefully considering your FOIA request in the context of 28 CFR § 16.10(k), I have determined that your request does not meet the requirements for the reasons listed below.

In order to qualify for a waiver or reduction of fees, your request must demonstrate that the “disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government and is not primarily in the commercial interest of the requester.” See 5 U.S.C. § 552(a)(4)(A)(iii). In determining whether you have satisfied this statutory standard, the six factors set forth in 28 CFR § 16.10(k) are to be considered. See 28 C.F.R. § 16.10(k). The first four of these factors concern the “public interest” requirement; the fifth and sixth factors concern whether your interest in the records is primarily commercial.

Failure to satisfy *any* one of the “public interest” requirements results in the denial of either a reduction of fees or a complete waiver of fees, and it dispenses with the need to consider whether your interest in the records is primarily commercial in nature. We have determined that you have not satisfied factors two, three, and four of the “public interest” requirements set forth in the applicable regulations.

You state in your FOIA request that the subject of the request is in the public’s interest and is likely to contribute significantly to public’s understanding of the operations or activities of the government. However, you have not satisfied the second factor of the “public interest” standard, because you have not shown with any specificity what, if any, informative value is contained in the records you are seeking and how that information is likely to contribute to the public’s understanding of a specific operation or activity of the government. See *National Security Counselors v. Dept. of Justice*, 80 F.Supp.3d 40, 53 (D.D.C. 2015) (holding that “the informative value of a request depends . . . on the requesting party having explained with reasonable specificity

how those documents would increase public knowledge of the functions of the government.”) (quoting *Citizens for Responsibility and Ethics in Washington v. U.S. Department of Health and Human Services*, 481 F.Supp.2d 99, 109 (D.D.C. 2006)). By not meeting the second factor of the “public interest” standard, you also have not met the fourth factor of this test, which requires you to show how the records you are seeking will contribute, in a “significant” way to the public’s understanding of an operation or activity of the government.

Also, you have not met the third factor of the “public interest” standard, which discusses your ability to disseminate the requested records to the public. See *Judicial Watch v. U.S. Department of Justice*, 185 F.Supp.2d 54, 60 (D.D.C. 2002) (denying a plaintiff’s request for a fee waiver, where the plaintiff failed to show an intent to disseminate records received pursuant to FOIA, but engaged in activity that amounted to merely making the requested information available by acting as a “private library, information vendor, or middleman”); *Van Fripp v. Parks*, No. 97-0159, slip op. at 12 (D.D.C. March 16, 2000) (use of passive methods of distribution does not establish entitlement to a fee waiver). Therefore, your failure to meet this factor is itself a sufficient basis for denying your request for a fee waiver. See *Larson v. CIA*, 843 F.2d 1481, 1483 (D.C. Cir. 1989).

Please note that pursuant to 28 CFR § 16.10, we are required to charge fees for time used to search for the documents you have requested and for duplication of all pages released to you. Normally, search time is charged at a rate of \$40 per hour after the first two hours which are free, and duplication fees are \$0.05 per page after the first 100 pages which are free. Before we release documents to you, payment for the accumulated charges must be received by us. Without such payment, your request file will be closed without further action. Please refer to the fee letter that we are sending to you with this letter.

If you are not satisfied with my response to your request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following website: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Thomas D. Anderson
Acting Assistant Director

ATTACHMENT F



U.S. Department of Justice
United States Department of Justice
Executive Office for United States Attorneys
Freedom of Information Act & Privacy Act Staff

Bicentennial Building (202) 252-6020
600 E Street, NW, Suite 7300
Washington, DC 20530 (202) 252-6047 Fax

August 15, 2016

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319
Date of Receipt: August 12, 2016
Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

Dear Mr. Flores:

We are currently searching for documents responsive to your FOIA/PA request, and we have reached the two hours of search time provided to you at no charge. Department of Justice Regulations, specifically 28 CFR 16.11(i), provide that our office may collect an advance payment **before we continue processing your request** if we estimate fees will exceed \$250.00. We estimate that an additional 28 hours will be required to complete the search for the records you requested. Our normal fee for search time is \$40 per hour, thus resulting in a fee for search time of \$1,120.00. In addition, the FOIA point of contact at the Southern District of New York has informed us that they have to examine 28 hours of audio material in order to find records that are responsive to your request. We do not know at this time, prior to a complete search, how many much responsive material will be found. If the material is in the form of paper, you should note that we charge \$0.05 per page for duplication of documents that are released to you after the first 100 pages, which are free. If the material can be provided to you on a disk, you may be charged for the cost of the disc.

Accordingly, an advance payment of \$1,120.00 in the form of a check or money order, payable to the Treasury of the United States, must be received by this office before we will continue processing your request. **Please indicate on the face of the check the above request number and mail it to the above address.**

If you wish to reduce your fees, you may reformulate your request by limiting the documents to a specific category or categories. Or, if you specify that you will only pay up to a certain amount, we will process your case up to that amount. Finally, keeping in mind that the first two hours were free, you may direct that we terminate your search.

Per 28 C.F.R. 16.11(i), your request is not considered received until we receive a response from you. Please respond within 30 days of the date of this letter, or this matter will be closed. Please use the attached form to indicate your wishes.

If you are not satisfied with my response to your request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following website: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Thomas D. Anderson
Acting Assistant Director

Requester: Louis Flores

Request Number: FOIA-2016-02319

CHOOSE ONE

____ Please do not search any longer. **I understand that I am entitled to the first 100 pages free.** If you have found releasable documents, send me the free documents and close my case.

____ Please do not search any longer. I wish to withdraw my request.

____ I agree to pay the search fee indicated above. **I understand that this payment is required even if no documents are located or released to me.** In the event that documents are located and released to me, I understand that I may be charged duplication fees in addition to search fees.

____ I wish to reformulate my request in an attempt to reduce search fees. Please limit my request to the following documents, and notify me of any revised search fee amount: \$ _____

(Please note that a search for specific records may require more search time and fees).

____ I agree to pay up to the following amount for search time: \$ _____
I understand that this payment is required even if no documents are located or released to me. In the event that documents are located and released to me, I understand that I may be charged duplication fees in addition to search fees.

Signature

Date

Please return to:

EOUSA
FOIA/PA
600 E. Street, N.W., Room 7300
Washington D.C., 20530

ATTACHMENT G



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

*Suite 7300, Bicentennial Building
600 E Street, NW
Washington, DC 20530*

*(202) 252-6020
FAX (202) 252-6047*

November 14, 2016

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319

Date of Receipt: April 25, 2016

Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

Dear Mr. Flores:

On August 15, 2016, we sent you a letter indicating an estimate of the fees that would be charged (\$1,120.00) for processing your Freedom of Information Act request. We gave you 30 days to respond with your advance payment. Since we did not receive the advance payment, your request file has been closed.

This is the final action on this above-numbered request. If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site:

<https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

You may contact our FOIA Public Liaison at the telephone number listed above for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

A handwritten signature in black ink, appearing to read 'T.D. Anderson', with a long horizontal flourish extending to the right.

Thomas D. Anderson
Acting Assistant Director

ATTACHMENT H

Louis Flores
34-21 77th Street, No. 406
Jackson Heights, New York 11372
louisflores@louisflores.com
1 (718) 685-2924

19 August 2016

FREEDOM OF INFORMATION ACT APPEAL

Office of Information Policy,
U.S. Department of Justice,
Suite 11050,
1425 New York Avenue, N.W.,
Washington, D.C. 20530.

Dear Sir or Madam :

Re : Appeal of Constructive Denial of Freedom of Information Act Request
Subject of FOIA Request : Speeches of U.S. Attorney Preet Bharara
FOIA Request Number : FOIA-2016-02319
Date of FOIA Request : 25 April 2016-08-07

I am writing to appeal the DOJ's constructive denial of the FOIA request and request the immediate disclosure of all responsive information called for by the request.

I. The Request

On April 25, 2016, I submitted a FOIA request to the DOJ seeking access to the speeches given by U.S. Attorney Preet Bharara, including records about hosting information, transcripts or recordings of any kind whatsoever, travel costs, and policies and procedures of the U.S. Attorney's Office to make this information public (the "Request") (Enclosed). In my Request, I requested expedited processing on the grounds that the information sought is about "the government's integrity which affect public confidence."

In the time since I submitted the Request, the DOJ on 23 May 2016 denied my request for expedited processing. Despite initially finding on 23 May 2016 that I "appear to qualify as a requester who is not subject to search fees," the DOJ on 15 August 2016 demanded that I submit an advance payment of \$1,120.00 in order for the DOJ to process my the Request, which I find outrageous, unconscionable, and intended as a measure to effectively deny the Request.

Separately, I have in good faith negotiated to settle this Request with the DOJ, but the DOJ rejected my offer. The DOJ's failure to respond within the statutorily-mandated time period

constitutes a constructive denial of the Request, and the reasons that the DOJ has provided for the delay are unacceptable.

II. The DOJ's Failure To Respond To The Request Within The Time Period Required By The FOIA Constitutes A Constructive Denial Of The Request.

The DOJ was required to determine its response to the Request and "immediately" notify me of its determination, at the latest, within 20 business days of its receipt of the Request. *See* 5 U.S.C. § 552(a)(6). Moreover, with respect to my request for expedited processing, the DOJ was required to make a determination within 10 days of the date of the Request. *See* 5 U.S.C. § 552(a)(6)(E)(ii)(I). However, it took the DOJ nearly 20 business days to deny my request for expedited processing.

It has now been four months since I submitted the Request, and deadlines have long since passed without the production of duly requested records by the DOJ. The failure to respond within the scope of time provided for in the code, I am deemed to have exhausted my remedies, giving rise to this appeal. *See* 5 U.S.C. § 552(a)(6)(C)(i). Furthermore, this appeal also includes an objection to the DOJ's decision to impose burdensome fees. Because the fees are so large, the imposition of large fees also acts as a way to constructively deny the Request.

The DOJ has provided no adequate justification for its failure to produce the duly requested records in response to the Request within the time period required by FOIA, whether by written notice of "unusual circumstances" or otherwise. *See* 5 U.S.C. § 552(a)(6)(B). Indeed, the DOJ has done nothing at all to respond to the Request other than to tell me that, due to the agency's own internal limitations on resources and staff, it can't or won't provide me with records of U.S. Attorney Bharara's speeches. *See* Ex. A (noting that the U.S. Attorney's Office failed to make a recording or a transcript of a speech delivered by U.S. Attorney Bharara at the resort town of Saratoga, New York). Prior to that notice, a spokesperson for the U.S. Attorney's Office had informed me that the office does not have enough people to record or transcribe speeches made by the U.S. Attorney's office, due to budget consideration. Additionally, a representative of the U.S. Attorney's Office has informed me that Federal regulations require additional work than just making a video recording available online, such as requiring that videos posted online must be compliant with the Americans With Disabilities Act (such as requiring that videos include captions for the hearing impaired). Such excuses are not acceptable under FOIA, and the DOJ is not permitted to avoid its FOIA obligations due to internal burdens of its own making. *See, e.g., Rosenfeld v. DOJ*, 2010 WL 3448517, *4 (N.D. Cal. 2010) (holding that the DOJ "cannot use the make-up of its own internal database" as a "shield to avoid FOIA mandates"). Although the need to process an abnormally large volume of requests may constitute "exceptional circumstances," a "predictable agency workload" of FOIA requests does not qualify as an "exceptional circumstance." 5 U.S.C. § 552(a)(6)(C)(ii); *see, e.g., Fiduccia v. DOJ*, 185 F.3d 1035, 1042 (9th Cir. 1999) (concluding that no exceptional circumstances exist where employee cutbacks and

budget reductions led to a "slight upward creep in the caseload" and backlog of FOIA requests at the DOJ); *see also Donham v. DOE*, 192 F. Supp. 2d 877, 882-83 (S.D. Ill. 2002) (concluding that high volume of requests and inadequate resources do not constitute "exceptional circumstances" unless such circumstances are "not predictable"). Here, the DOJ has provided no evidence of "exceptional circumstances" that would justify its failure to respond to the Request.

Given the DOJ's conduct in connection with the Request, I am left with the impression that the DOJ is taking an uncooperative stance, is not exercising due diligence in responding to the Request, or both. *See, e.g., Bloomberg v. FDA*, 500 F. Supp. 2d 371, 376 (S.D.N.Y. 2007) (holding that the FDA failed to establish "exceptional circumstances" sufficient to justify its delay in responding to Bloomberg's FOIA request and noting that "the FDA's cumulative decisions suggest a pattern of unresponsiveness, delays, and indecision that suggest an absence of due diligence"). I hereby appeal the denial of the Request, and request immediate disclosure of the information sought therein.

I also respectfully urge the DOJ to be mindful of the Attorney General's admonition that "[o]pen government requires agencies to work proactively and respond to requests promptly ... When information not previously disclosed is requested, agencies should make it a priority to respond in a timely manner. Timely disclosure of information is an essential component of transparency. Long delays should not be viewed as an inevitable and insurmountable consequence of high demand." *See* United States Attorney General Eric Holder's "Memorandum For Heads of Executive Departments and Agencies," dated March 19, 2009, *available at*, www.justice.gov/ag/foia-memo-march2009.pdf.

III. The DOJ Was Wrong Not to Grant The Fee Waiver.

When the Courts review fee waiver issues, they do so *de novo*, and their review is generally limited to the administrative record. 5 U.S.C. § 552(a)(4)(vii). As such, let me enter into the administrative record the following information for the agency's consideration of this appeal -- and for the Court's later review, if necessary.

In accordance with FOIA case law, I want to demonstrate to the DOJ that disclosure of these records are in the public interest. The Request originated as a request I made to the U.S. Attorney's Office seeking a recording or a transcript of a speech given by U.S. Attorney Bharara. *See* Ex. B (noting that the "U.S. Attorney rarely gives interviews, and he almost never answers press inquiries."). In response, a spokesperson for the U.S. Attorney's Office acknowledged, in relevant part, that the U.S. Attorney "does not do a lot of one-on-one interviews." *See* Ex. C. In the past, the U.S. Attorney has, himself, acknowledged the importance of government transparency efforts that go beyond merely giving lip service to the cause, stating, in prepared remarks made available online that, "We should perhaps hold our applause for certain transparency measures until we've scrutinized whether they truly

reveal anything about the workings or behavior of government and public officials." *See* Ex. D. As stated in the Request, because the U.S. Attorney "routinely speaks about matters pertaining to fighting political, campaign, and corporate corruption," the "records and information sought "will help inform the public about these subject matters, particularly given that the work in which the U.S. Attorney's Office for the Southern District of New York is engaged involves a history-making series of prosecutions targeting corruption that will lead to a wave of reforms in Government and business." The public has an interest in knowing what the U.S. Attorney has to say about the subjects, since these are the subjects about which he speaks.

Once I receive these records, I intend to publish these records online, giving the public free access to these records, as I do with all records I receive in response to open records requests. I index open records requests that I expect will produce records online on a dedicated page of the Progress Queens Web site, an online news publication, which I publish.^{1/} Furthermore, many of the documents that I publish online are also available on third-party Web sites, such as Scribd.com, where the public can also conduct searches for these records. Since Scribd.com is used by many individuals, including journalists, to freely host important .PDF records, because I choose to host many records I receive from FOIA/FOIL requests on Scribd.com, the public can rely on Scribd.com as another option to locate .PDF copies of important Government records. Because the DOJ can count on me making these records freely available to the public, I have demonstrated a *prima facie* case for why the DOJ must reverse its decision to not grant a fee waiver. I have "identified why" I "wanted the administrative record, what" I "intended to do with it, [and] to whom" I "planned on distributing it..." *See Friends of the Coast Fork v. U.S. Dept. of Interior*, 110 F 3d. 53, 55 (9th Cir. 1997).

The U.S. Attorney's Office expects journalists or the public to be willing and able to pay costs in order to travel to or attend speeches given by the U.S. Attorney, and I have objected to how the U.S. Attorney's Office has demonstrated an indifference to the willingness and ability of individuals to incur these costs. *See* Ex. C. In the face of this objection, the DOJ now demands the advance payment of over \$1,000 for costs to produce what should be open records about the U.S. Attorney. The invocation of costs or fees acts to restrict or deny information or records, and this has been established to be a concern had by Congress. "Indeed, experience suggests that agencies are most resistant to granting fee waivers when they suspect that the information sought may cast them in a less than flattering light or may lead to proposals to reform their practices. Yet that is precisely the type of information which the FOIA is supposed to disclose, and agencies should not be allowed to use fees as an offensive weapon against requesters seeking access to Government information..." *See* 132 Cong. Rec. S14298 (Sen. Leahy). FOIA's fee waiver provision was supposed to address this concern, particularly to facilitate access to Government records by citizen "watchdog" organizations, which utilize FOIA to monitor and mount challenges to Governmental misconduct. *See Better Gov't Ass'n v.*

^{1/} *See* <http://www.progressqueens.com/foia>.

Department of State, 780 F.2d 86, 88-89 (D.C. Cir. 1986) (noting that fee waivers were intended to benefit public interest watchdogs). Because Progress Queens advocates for Government transparency and because Progress Queens operates on almost no budget, Progress Queens depends on fee waivers in order to :

"conduct the investigations that are essential to the performance of certain of their primary institutional activities - publicizing governmental choices and highlighting possible abuses that otherwise might go undisputed and thus unchallenged. These investigations are the necessary prerequisites to the fundamental publicizing and mobilizing functions of these organizations. Access to information through FOIA is vital to their organizational missions....

"The waiver provision was added to FOIA "in an attempt to prevent government agencies from using high fees to discourage certain types of requesters and requests," in a clear reference to requests from journalists, scholars and, most importantly for our purposes, nonprofit public interest groups."

Better Gov't Ass'n, 780 F.2d at 93-94.

In communication I have exchanged with the U.S. Attorney's Office, I have informed the U.S. Attorney's Office that the office has not been in compliance with FOIA in respect of the speeches made by U.S. Attorney Bharara. I have drawn the U.S. Attorney's Office attention to the fact that, "Your office already demonstratively began to comply with or acknowledged you were required to comply with or committed yourselves to transparency that underlies FOIA when your office initiated this link on the U.S. Attorney's Web site, posting copies of speeches made by the U.S. Attorney,"^{2/} adding that, "This page contains speeches made in 2010, and this page has not been updated with speeches since 2014," before concluding that, " Since it can plainly be shown that your office began to comply with FOIA, then abandoned your compliance with FOIA, the gaps in information that are missing from this Web page are material to proving the U.S. Attorney's Office current lack of compliance with FOIA." See Ex. E. Because the U.S. Attorney has published prepared remarks he delivered before the Moreland Commission in which he emphasized the importance of transparency beyond merely giving the issue lip service, the public has every right to know, and Progress Queens has every right to demand, the records about the U.S. Attorney's speeches. Moreover, since it has been shown that the U.S. Attorney's Office is not presently in compliance with FOIA, the disclosure of these records will force the office to adopt reforms, a proposition it may not like and which may explain the DOJ's resistance to providing these records under the fee waiver request I have made. This is unacceptable.

^{2/} See <https://www.justice.gov/usao-sdny/speeches>.

One of the intentions of FOIA has been to promote the active oversight roles of watchdog groups, which actively challenge agency misconduct, especially in the Courts. It should be noted that I have had to sue the DOJ to compel it to comply with FOIA on an unrelated FOIA request. As such, I am fulfilling my role as a watchdog over the agency. FOIA case law has affirmed a fee waiver request under FOIA is likely to pass muster "if the information disclosed is new; supports public oversight of agency operations, including the quality of agency activities and the effects of agency policy or regulations on public health or safety; or, otherwise confirms or clarifies data on past or present operations of the government." *See McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1284-1286 (9th. Cir. 1987).

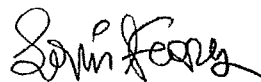
Because the DOJ has ruled against me at the administrative level on fee waiver issues, the DOJ is now bound to adhere to the reasons it has provided -- and which I have now refuted. The DOJ is not allowed to raise new issues later, if litigation is required. *See Friends of the Coast Fork v. U.S. Dept. of the Interior*, 110 F.3d 53, 55 (9th. Cir 1997). If the DOJ does not within 20 business days reverse its decision on the fee waiver and begin to produce the duly requested records, this matter will have to be decided by the Courts. *See* 5 U.S.C. § 552(a)(6)(A)(ii).

* * * *

If the DOJ fails to begin to provide records within 20 business days, then I will have no choice to commence litigation against the U.S. Attorney and the DOJ to obtain these records with the assistance of the Courts, as is my right, in accordance with 5 U.S.C. § 552(a)(4)(B). As such, please preserve all documents, correspondence, information, and things regarding this FOIA Request in anticipation of the commencement of litigation. Please note, the press office of the U.S. Attorney's Office for New York's southern district has already been notified of the need to preserve documents in anticipation of possible litigation. *See* Ex. E.

If you have any questions or concerns regarding this appeal, please do not hesitate to contact me at (718) 685-2924.

Respectfully submitted,



Louis Flores

Attachments (as stated)

Ex. A

From: Margolin, James (USANYS) James.Margolin@usdoj.gov
Subject: RE: Press Inquiries : (a) Transcript of NYPA speech ; (b) NYCHA ; and (c) Senate 2014 investigation
Date: 21 avril 2016 15:55
To: Louis Flores louis.flores@progressqueens.com
Cc: Dearden, Dawn (USANYS) Dawn.Dearden@usdoj.gov, Saint-Vil, Christian (USANYS) Christian.Saint-Vil@usdoj.gov, Biase, Nicholas (USANYS) Nicholas.Biase@usdoj.gov

1. There is no transcript of the US Attorney's speech in Saratoga.
2. The documents to which you refer are not public documents.
3. We have no comment on these questions.

From: Louis Flores [mailto:louis.flores@progressqueens.com]
Sent: Thursday, April 21, 2016 1:03 PM
To: Margolin, James (USANYS)
Subject: Press Inquiries : (a) Transcript of NYPA speech ; (b) NYCHA ; and (c) Senate 2014 investigation

Dear Mr. Margolin :

1/. I am just following-up on the transcript of the speech at the New York Press Association. I don't want this request to get over-looked.

2/. I am following-up on the informal request I made to see if the U.S. Attorney's Office can release critical documents from the NYCHA investigation pertaining to lead-contamination/lead-poisoning risks for NYCHA tenants. NYCHA owes me a response next week to a FOIL request I made to them for all non-exempt documents. If I don't get any documents from NYCHA, and if the U.S. Attorney's Office provides me with no documents, I will seek court assistance to aid in the release of documents pertaining to any urgent risks that NYCHA tenants face regarding lead-exposure/lead-poisoning.

3/. I am working on an update article regarding the reported Federal investigation into the funding of several Upstate/Long Island State Senate races in 2014. For my article, I only have three questions (which I need to ask) :

a/. Because the donations being made to the various county committees of the Democratic Party are timed around October 2014 (I'm looking at the Monroe County Democratic Committee, in particular), does the timing look suspicious to investigators (besides the reported concerns of funneling large donations for pass-through purposes) ?

b/. Making donations in October appear to be too late in the election cycle to make any difference with (less than) one month to go before the general election that year then. What is more, all of the campaign committees reportedly receiving money from the county Democratic Party committees eventually lost their races. Because many of the donations made, particularly to the Committee to Re-Elect Ted O'Brien, passed back to AKPD and BerlinRosen, in the minds of investigators, what was the real, business-purpose use of the payments made to AKPD and BerlinRosen ?

c/. I have seen before where campaign consultants attach themselves to big money races that face the real prospect of losing, just so that the campaign consultants can earn extra billings. In the minds of investigators, is that what happened here ? Or is it more, because perhaps the

campaign consultants were informed about, or had a role in, the fundraising from which they themselves knew that they were going to benefit ?

My deadline is not until tomorrow at noon, if your office can give me any responses/comments, I would appreciate it.

Thank you kindly.

Best regards,

-- Louis

Louis Flores
Publisher
Progress Queens
louis.flores@progressqueens.com
1 (646) 400-1168

Web : <http://www.progressqueens.com>
Twitter : @ProgressQueens
Donate : <http://www.progressqueens.com/donate/>

Ex. B

From: Louis Flores louis.flores@progressqueens.com
Subject: Re: Press Inquiry : Was there a live stream of U.S. Attorney Bharara's speech today ?
Date: 9 avril 2016 10:55
To: James Margolin james.margolin@usdoj.gov

Hi, Mr. Margolin :

I don't want this request to get lost.

The U.S. Attorney rarely gives interviews, and he almost never answers press inquiries.

Because of that, it is important that his speeches be made public, because it gives the public one of its only opportunities to hear the U.S. Attorney speak.

Yesterday, before I made my request to you, I searched the NYPA Web site, and there is no link of a video.

Just now, I have run updated searches on YouTube and Google, and I have turned up nothing.

If the U.S. Attorney gives closed-door speeches, he must require that a video, recording, or transcript be released.

Please let me know if you can provide a link or a transcript.

Thank you.

Louis Flores
Publisher
Progress Queens
louis.flores@progressqueens.com
1 (646) 400-1168

Web : <http://www.progressqueens.com>
Twitter : @ProgressQueens
Donate : <http://www.progressqueens.com/donate/>

On April 8, 2016 at 5:22 PM Louis Flores <louis.flores@progressqueens.com> wrote:

Dear Mr. Margolin :

Was there a stream of U.S. Attorney Preet Bharara's speech today at the New York Press Association ? Alternatively, is there a transcript of his remarks ?

If so, can you provide a link or a file ?

Thank you kindly.

Best regards,

-- Louis

Ex. C

From: Louis Flores louis.flores@progressqueens.com
Subject: Re: Press Inquiry : Was there a live stream of U.S. Attorney Bharara's speech today ?
Date: 9 avril 2016 12:58
To: Margolin, James (USANYS) james.margolin@usdoj.gov
Cc: Dearden, Dawn (USANYS) dawn.dearden@usdoj.gov
Bcc: Louis Flores louis.flores@progressqueens.com

I don't want to get into a war of words with you.

It is elitist to say that a small group of media covering an event is enough to make an event public, because it is not. The whole problem we are facing with corruption is that the corporate media is asleep at the wheel, and you know it.

This event was held in a resort town, behind a paywall of convention fees, to a trade group of dues-paying members. That the trade group was composed of media is irrelevant, because the whole of the speech remains secret. Plus, not everybody can afford to travel and to pay to get in. I certainly cannot.

And before you say that this is all about me, what I'm saying here is the public has a right to know. You arguably don't owe me a link or a transcript, but the Office of the U.S. Attorney certainly owes this much to the public, because the U.S. Attorney is a public official, and probably one of the most significant ones at that.

I hate to say it, but perhaps it's time for the U.S. Attorney's Office to consider having a press person to make arrangements to have a crew to livestream or record these kinds of events. Under the law, not having staff is no excuse. Under FOIA, it's not an acceptable excuse for an agency to use limitations of its own making (budgetary, technology, or staff) to explain why it cannot make records public. *See Rosenfeld v. DOJ*, 2010 WL 3448517, *4 (N.D. Cal. Sept. 1, 2010) (holding that the DOJ "cannot use the make-up of its own internal database" as a "shield to avoid FOIA mandates").

Please consider this e-mail chain a request under the Freedom of Information Act for a recording, or a copy of the transcript, of the Friday speech at the New York Press Association.

Louis Flores
Publisher
Progress Queens
louis.flores@progressqueens.com
1 (646) 400-1168

Web : <http://www.progressqueens.com>
Twitter : @ProgressQueens
Donate : <http://www.progressqueens.com/donate/>

On April 9, 2016 at 12:20 PM "Margolin, James (USANYS)" <James.Margolin@usdoj.gov> wrote:

Louis:

You are of course free to express your opinion, but I am simply trying to explain that the office didn't send its own crew to livestream or record the event, and the organizers either didn't have the ability or didn't see the need to livestream it. It wasn't an attempt on our part to keep people from seeing Mr. Bharara's talk. He does not do a lot of one-on-one interviews, but he does a fair number of public speaking events, many of which are open to the press. Many of your colleagues in the press would no doubt concur with that assessment.

Jim

Sent from my iPhone

On Apr 9, 2016, at 12:05 PM, Louis Flores <louis.flores@progressqueens.com<mailto:louis.flores@progressqueens.com>> wrote:

You and I know that the press doesn't report everything.

I think it is duplicitous to give lip service to the press this way ("his topic was the role of a free press in society"), and then hide behind that to withhold/deny a recording or a transcript for the public to read.

I will write an editorial about this tomorrow.

On April 9, 2016 at 11:21 AM "Margolin, James (USANYS)" <James.Margolin@usdoj.gov<mailto:James.Margolin@usdoj.gov>> wrote:

"[H]e must require that a video, recording, or transcript be released"? He was a guest at the event. He didn't make the arrangements, he accepted an invitation to speak. It was not only open to the press, it was an audience composed entirely of members of the press, and his

topic was the role of a free press in society.

Sent from my iPhone

> On Apr 9, 2016, at 10:56 AM, Louis Flores <louis.flores@progressqueens.com<mailto:louis.flores@progressqueens.com>> wrote:
>
> he must require that a video, recording, or transcript be released.

Louis Flores
Publisher
Progress Queens
louis.flores@progressqueens.com<mailto:louis.flores@progressqueens.com>
1 (646) 400-1168

Web : <http://www.progressqueens.com>
Twitter : @ProgressQueens
Donate : <http://www.progressqueens.com/donate/>

Ex. D



THE UNITED STATES ATTORNEY'S OFFICE
SOUTHERN DISTRICT *of* NEW YORK

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Justice News

Prepared Remarks Of U.S. Attorney Preet Bharara Public Corruption In New York: More Than A Prosecutor's Problem Citizens Crime Commission

United States ~ Monday, April 22, 2013

I want to thank Richard Aborn and the Citizens Crime Commission for inviting me and for organizing events like this.

Before I get started, please silence your cell phones and body wires, as the case may be.

Why am I here this morning and why am I talking about this?

Because public corruption in New York, from all the available evidence, appears pervasive and because it is more than a prosecutor's problem.

Recent and not-so-recent events paint a fairly dismal portrait of the state of government in the State of New York.

It is a portrait of a show-me-the-money culture, as I have said before.

It increasingly seems that the best way to find Albany on a map is to look for the intersection of greed and ambition.

So is corruption in New York rampant and is it worse than elsewhere? All the available evidence says that the answer, sadly, is yes.

Given recent events, I am reminded of a great and funny science fiction book I read when I was a kid—The Restaurant at the End of the Universe, by Douglas Adams. It describes an alien warrior species known as Vogons. In chapter two, the author describes a particular Vogon captain:

"It has been said that Vogons are not above a little bribery and corruption in the same way that the sea is not above the clouds. . . When [this Vogon captain] heard the words 'integrity' or 'moral rectitude,' he reached for his dictionary, and when he heard the chink of ready money in large quantities he reached for the rule book and threw it away."

Sound familiar?

So, is Albany full of Vogons? Of course not.

To be sure, there are countless honorable and ethical and honest people serving in elected office—people who believe that representing ordinary Americans is a high calling, a calling to improve one's community and one's country in some small measure.

But I don't think anyone can disagree with the conclusion that the ranks of those convicted in office have swelled to unacceptable levels.

Consider the list of defendants convicted by just our Office in recent years.

It is the kind of roll call that causes frustrated prosecutors to wonder, from time to time, whether our most corrupt public officials are even capable of being deterred from committing crimes:

- Senator Carl Kruger
- Senator Hiram Monserrate
- Senator Nicholas Spano
- Senator Vincent Leibel
- Senator Efrain Gonzalez
- Assemblyman Brian McLaughlin
- Assemblyman Anthony Seminerio
- Councilman Larry Seabrook
- Councilman Miguel Martinez
- Councilwoman Sandy Annabi

And that does not count the plethora of pending cases that are still playing out in federal court in the Southern District.

Nor does it count the significant public corruption cases brought by other prosecutor's offices around the state.

Consider also the breadth and diversity of the officials caught up in our corruption probes:

- They have been State Senators as well as State Assemblyman.
- Elected officials as well as party leaders.
- City council members as well as town mayors.
- Democrats as well as Republicans.
- In an age often decried for increasingly bitter partisanship, we can say that public corruption in New York is a bipartisan affair.

Or, consider what some recent arrested politicians have been caught on tape allegedly saying about the pervasiveness of a corrupt mindset:

- One Assemblyman allegedly said this, talking about his Albany colleagues: "Bottom line. . . if half of the people up here in Albany was ever caught for what they do...they...would probably be [in jail], so who are they BS-ing?"
- A city councilman allegedly said this: "That's politics, that's politics, it's all about how much...and that's our politicians in New York, they're all like that, all like that. And they get like that because of the drive that the money does for everything else. You can't do anything without the f***ing money."

What's more, the examples of tawdry graft spelled out in recent complaints and indictments evince both a casualness and a cockiness about corruption in New York in 2013—and suggest, dispiritingly, that not a lot has changed.

Some of the allegations have a positively retro feel to them.

Take, for example, a recent case where officials first met at Sparks Steakhouse on Valentine's Day of this year and then retired to parked vehicles to exchange envelopes of cash in connection with a bribery scheme.

It makes you want to ask, with some frustration: "What is this? The eighties?" Have we not progressed at all?

Now, one of the most commonly asked questions about public corruption is: Why? Why do we have this problem, however extensive one thinks it is? Why do officials who are supposed to hold the public trust and who are supposed to know better keep breaking the law—even knowing what the consequences will be?

I'm not a behavioral psychologist or a political pundit or a social scientist, so I don't really know the answer. The answer may not be knowable, and probably there is no single answer, even if it were

knowable.

I suppose it is some combination of hubris and greed and ambition on the part of corrupt and corruptible officials.

I suppose, also, that there are temptations in the system, weaknesses in oversight, and gaping holes in transparency.

But at the end of the day, it seems that a culture of corruption has developed and grown, just like barnacles on a boat bottom.

And it seems that such a culture has become so embedded that even a series of tough and successful prosecutions that have separated so many lawmakers from their liberty has not been enough to thwart others from following in their felonious footsteps.

And just as with barnacles on a boat bottom, when a growth is permitted to spread and grow unchecked, it unsurprisingly takes an unrelenting, collective effort to clean up.

And so after such a disheartening spate of scandals, it is heartening to see that many people are beginning to take the problem more seriously than perhaps they have until now.

And that is good because state lawmakers matter.

State legislators, believe it or not, are important.

Each senator represents more than 300,000 people; each assemblyman, almost 130,000.

Senators confirm appointments of state officials and court judges.

State lawmakers determine our budget. They decide how much money goes to children's education, to public safety, to transportation, to health, and to public welfare. They decide what constitutes a crime and how it should be punished. And they draw the boundaries of the electoral districts in which you live, work, and vote.

So it is dispiriting that the public's increasing sense of disillusionment with their government has reached unprecedented proportions.

A Quinnipiac poll from just a week ago found that 87 percent of New Yorkers said that corruption in the state is a "somewhat serious" or "very serious" problem. Eighty-seven percent.

And the percentage of those saying it is a "very serious" problem is the highest mark since Quinnipiac began asking the question ten years ago.

But perhaps it should not be all that shocking that so many people have lost so much faith.

When a New York state senator is more likely to be arrested by the authorities than defeated in an election, people lose faith.

When voters' campaign contributions can routinely foot the bill for a fancy lawyer when that legislator is later charged with corruption, people lose faith.

When state senators are advised by the majority leader's counsel—in writing!—to hand deliver their financial disclosure forms to avoid federal mail fraud charges, people lose faith.

When a state legislator can be convicted of corruption crimes and still keep his life-long pension, people lose faith.

Such a dynamic gives new meaning to what Michael Kinsley once said: "The scandal isn't what's illegal; the scandal is what's legal."

So let's just pause for a moment to see if we have this straight: In New York, a politician can figure out a way to buy his way onto a ballot and into the legislature; upon election, he can turn around and sell that very office to the highest bidder for favorable votes; upon indictment, he can use former supporters' campaign contributions to fight the criminal charges; upon conviction, he can be forced out of office and

imprisoned for years.

But he will retain for life a generous state pension—paid for by whom? The taxpayer. And that right is enshrined where? In the state constitution. And that is written by whom? The legislature.

Now, does anyone who is not drunk on power or addicted to self-dealing think this is remotely rational?

Just so we're clear, I, of course, have no formal opinion on this. I'm just sayin'.

Now, we all have a role in addressing this problem.

Prosecutors, of course, have an important role.

Before getting to that, let me say a few things about our overall approach to public corruption.

First, let me make clear what our mission is not about:

We are not trying to criminalize ordinary politics.

We are not trying to wag our fingers or thump our chests.

Nor, quite frankly, are we even demanding that our government officials be virtuous or vice-free.

We are prosecutors, not morality cops.

We simply want people in high office to stop violating the law. It seems like a simple and modest request—people elected to make laws should not break them.

Prosecuting public corruption, for the most part, is like prosecuting every other type of crime. As with every other area, we are fundamentally fearless and appropriately aggressive. We go wherever the facts and the law take us.

But there are at least two considerations that are perhaps special to public corruption cases.

First, corruption investigations are especially sensitive—among the most sensitive that any prosecutor can conduct.

For that reason, we take great care to make sure that we are as cautious and discreet as we can possibly be when conducting investigations of public officials.

We would be doing a public disservice if we were to unnecessarily cause reputational harm to someone who was duly elected or appointed to high office.

But that said, we have an obligation to investigate vigorously all criminal misconduct no matter where it may be happening and no matter who may be responsible.

No one is above the law, no matter how wealthy or important, and no matter how many votes he or she may have garnered in the last election.

Where there is smoke, there is often fire—that conclusion has become irrefutable over the last few years. And we are duty-bound to go where the smoke is.

Second, we have a fierce dedication to political neutrality and independence—bedrock principles that are particularly important in how we go about handling corruption cases.

Every prosecutor's office must guard its independence—from politics and from partisanship and from undue pressure, whether from the public or from Washington.

The U.S. Attorney's Office for the Southern District of New York has an especially long and proud tradition of absolute independence.

After all, we were founded in 1789; we have prosecuted some of the most storied cases in the history of the nation; and we have shown time and again that no individual or institution is beyond the law's reach.

There is a reason we are known as the Sovereign District of New York. And while some may view that as

a pejorative, we view it as a badge of honor, and it confers particular legitimacy on our public corruption investigations.

For my own part, before I became the U.S. Attorney, while I was a counsel to the Senate Judiciary Committee, I spent close to a year leading the investigation into politicization at the Justice Department.

And so I know first-hand what can happen to public trust when even a whiff of politics or political ideology enters into prosecutorial thinking.

As a friend of mine once remarked, there are three political parties—Republican, Democrat, and federal prosecutor.

Now, before I say more about the prosecutor's role, let me point out that a portion of our anti-corruption team is here this morning.

Seated are the Deputy U.S. Attorney Richard Zabel, Criminal Division Chief Lorin Reisner, Public Corruption Chief Brendan McGuire and a number of corruption Assistant U.S. Attorneys.

I get to make speeches from time to time, but these are the career prosecutors who do all the work and deserve all the credit.

These are the career prosecutors who have shone such a bright line on the corruption problem in Albany and elsewhere.

So, what is our strategy for, and our role in, fighting corruption?

It's a very simple one.

We bring criminal cases. And we will bring any case that we can prove beyond a reasonable doubt to a unanimous jury.

But a couple of updates.

First, given the unmistakable pervasiveness of corruption, we are redoubling our efforts and will seek to be even more aggressive than in the past, and you have seen some of the fruits of that resolve in recent weeks.

So what does that commitment mean?

It means being as aggressive and proactive on public corruption as we are on gangs and drugs and organized crime and insider trading and everything else—because whenever corruption is on the rise, that means democracy is on the decline.

And that means that law enforcement will use every aggressive and creative tool at our disposal—wiretaps and confidential informants and undercover agents and stings. And, yes, seeking the cooperation of elected officials who can help us investigate and prosecute their own corrupt colleagues.

It means, also, adding resources to the fight. In the last 18 months, we have added people to our public corruption unit so that we can be more effective.

In addition, I have recently met with the Assistant Director in Charge of the FBI, George Venizelos, to discuss expanding our corruption efforts. And I can tell you that he shares my view that corruption should be an absolute top priority for federal law enforcement in New York. We will also continue to work with the fine men and women of the Department of Investigation, led by Commissioner Rose Gill Hearn, who has been one of the pioneers in fighting corruption.

We also met recently with leaders of watchdog groups to see if there are other ways we can be effective.

Our goal is to change the calculus of even the most dense public official—so that he or she will finally realize that the reward for violating the oath of office is not reelection, but prison.

Now, of course, there are other excellent prosecutor's offices throughout New York State, both local and federal.

And I agree with the proposition that we could use even more cops on the beat. God knows, there is no shortage of public corruption work.

But no matter how many cops on the beat, I think the feds will always be natural leaders on corruption matters.

Federal prosecutors are natural leaders in this area because (1) we generally have deeper resources (to introduce undercovers, mount stings, and pay controlled bribes, among other things); (2) we have a track record of success; (3) we can usually threaten more substantial penalties; and (4) as I already mentioned, we have a generations-old tradition and reputation for absolute independence and nonpartisanship.

But we welcome more cops to the beat, and in fact have been collaborating with local offices for a long while—our recent work with DA Robert Johnson of the Bronx and DA Thomas Zugibe of Rockland, I think, serve as state-wide models for cooperation. And I hope we build on that model.

So, we prosecutors will keep doing our jobs—aggressively and collaboratively. And if that means locking up more corrupt officials, so be it.

But we cannot just prosecute our way to cleaner government, and in any event we face a number of challenges even in our law enforcement efforts. Let me mention just a couple.

First, there is a substantial transparency problem throughout New York government.

You may remember our successful CityTime investigation, in which we partnered with Commissioner Hearn and DOI—that was the case in which a government contractor, SAIC, bilked the city for about half a billion dollars for a timekeeping software program.

As that investigation revealed, disclosure requirements, when not sufficiently rigorous, can provide a false sense of security and the illusion of transparency. Currently, only prime contractors and first-tier subcontractors doing work for the City file financial disclosures.

So apparently all you have to do to conceal a fraud and deceive the City is set up a sham second-tier subcontractor. In CityTime, that approach resulted in the City being victimized year after year to the tune of more than half a billion dollars.

Fortunately, as a result of our case against the prime contractor, the City has been made whole. But that may not happen next time. That is something to think about.

One more point on this—the creation of databases and websites which make certain information about government officials public, which seem to promote transparency and are unveiled to great fanfare are a step toward true transparency but by themselves are not enough.

A database that is accessible only by physically going to a city office building to access through an outdated computer portal does not accomplish its intended purpose.

A government website that is so difficult to navigate that it is nearly impossible to piece together any real-life understanding of the information it purports to convey or that offers millions of rows of data but without any context or meaningful ability to conduct analysis is not that much more helpful than keeping the information locked away in a filing cabinet.

We should perhaps hold our applause for certain transparency measures until we've scrutinized whether they truly reveal anything about the workings or behavior of government and public officials.

A related transparency challenge is the difficulty of being able to separate illicit money transfers from legitimate ones.

We believe in the old adage: Follow the money.

But that is so much harder to do when the money trails are hidden. When every state or local elected official is able to lawfully moonlight as a lawyer or accountant or consultant and may lawfully withhold deep details of that work, prosecutors face substantial challenges.

Again, I don't have a formal view on these things. I'm just sayin'.

And there are challenges beyond transparency problems as well.

As I mentioned recently, perhaps most disheartening is the deafening silence of the many individuals who, over the course of this investigation (and others), saw something and said nothing. They learned of suspicious and potentially criminal activity being conducted in the halls of the Capitol and elsewhere, and they said nothing. No one made a call. No one blew the whistle. No one sounded the alarm.

As I keep saying, corruption is more than a prosecutor's problem, and everyone with a stake has to be part of the solution. That means the politicians, the press, and the public have a vital role to play also.

First, the role of politicians, of lawmakers.

Apart from refraining from breaking the law, the single most important thing they can do to restore public trust is to act seriously and earnestly to reform the system and the culture of our government and our politics.

There have been a lot of proposals offered in recent days, and every New Yorker should applaud the effort. And we prosecutors applaud any effort that makes our jobs easier.

The proposals are wide-ranging—there are measures to limit contributions, to limit spending, to limit terms, to limit discretionary funds. There are measures to repeal certain laws and mandate more transparency and compel the reporting of crime.

I am not in a position to offer opinions on particular proposals—but I do agree with those who say no single fix will get us far down the road to reform. And nothing will really change until people undertake a fundamental reform of a corrupt culture.

After all, notwithstanding all the challenges I mentioned, every single one of the cases that my office has brought was possible under existing authorities and existing resources.

But it makes sense for everything to be on the table in terms of proposals.

And I will say one more thing: speaking as not just a prosecutor but also as a citizen of the state, New Yorkers should not settle for something weak when there is an appetite and an opportunity for something strong.

Now, what about the Fourth Estate? Does the press have a role?

Absolutely.

The press is often in the best position to investigate, and shine a light on, corrupt officials and corrupt practices.

My chief lament about the decline of the local newspaper is that with each outlet that closes, opportunities to ferret out fraud and public waste and abuse are lost.

Just as we and the FBI are adding resources to fight public corruption, if you run a newsroom, I would hope you would think of adding reporters and resources to the investigative side of the business. I bet it's as fun a beat as a reporter can have.

So all of you press folks back there, tell your editors I said that.

Rather than just covering cases that my office and others are already bringing, figure out ways to break new ground, to cover new stories.

Groundbreaking corruption coverage, by the way, is not just good copy; it is a path to good government.

Finally, what about the public? That is where the solution really lies.

People need to demand more. It is not enough just to be fed-up.

After all, as Edward R. Murrow observed, "A nation of sheep will beget a government of wolves."

The public has to demand more—individual voters acting and speaking collectively.

New York tends to have the best of everything, and it deserves better in this area also.

New York is home to the safest large city in America; it should not harbor one of the most corrupt governments in the nation.

New York is full of the best problem-solvers anywhere.

And no state has people who are more thoughtful, more industrious, more resilient, more demanding, and more impatient than New York.

And if there were ever a time for New Yorkers to show their trademark impatience with the status quo and to show it loudly, it is now.

Thank you.

USAO - New York, Southern

Updated May 13, 2015

Ex. E

From: Louis Flores louis.flores@progressqueens.com
Subject: Press/Litigation Inquiry : FOIA request for speeches by the U.S. Attorney (Follow-up)
Date: 15 août 2016 10:55
To: Margolin, James (USANYS) James.Margolin@usdoj.gov, Biase, Nicholas (USANYS) Nicholas.Biase@usdoj.gov, Dearden, Dawn (USANYS) Dawn.Dearden@usdoj.gov
Bcc: Louis Flores louis.flores@progressqueens.com

Dear Mr. Margolin :

I am in receipt of correspondence from the EOUSA, further denying elements of my FOIA request, in addition to now stalling the production of records until I pay over \$1,000 in fees, which I find outrageous, objectionable, and unconscionable.

I will file the appeal with the OIP as soon as practicable, to follow the administrative procedures of FOIA.

Since I made my initial request to the Press Office for speeches made by the U.S. Attorney, I hereby ask the Press Office, in addition to the U.S. Attorney's Office, to preserve all correspondence and documents regarding this FOIA request in the event that litigation becomes necessary, in accordance with 5 U.S.C. § 552(a)(4)(B).

Your office can avoid litigation, if you just simply comply with FOIA, as you are required to do.

Your office already demonstratively began to comply with or acknowledged you were required to comply with or committed yourselves to transparency that underlies FOIA when your office initiated this link on the U.S. Attorney's Web site, posting copies of speeches made by the U.S. Attorney.

LINK : <https://www.justice.gov/usao-sdny/speeches>

This page contains speeches made in 2010, and this page has not been updated with speeches since 2014.

I now have a back-up copy of this Web page at : <http://archive.is/ZhcdG>

Since it can plainly be shown that your office began to comply with FOIA, then abandoned your compliance with FOIA, the gaps in information that are missing from this Web page are material to proving the U.S. Attorney's Office current lack of compliance with FOIA.

I have already offered the U.S. Department of Justice an opportunity to settle this FOIA request, but my settlement offer was rejected. Before I commence any litigation after I file the OIP appeal, please let me know if U.S. Attorney intends to comply with FOIA.

Thank you.

Louis Flores
Publisher
Progress Queens
louis.flores@progressqueens.com
Skype : maslowsneeds
1 (929) 279-2292

Web : <http://www.progressqueens.com>
Twitter : @ProgressQueens
Donate : <http://www.progressqueens.com/donate/>

ATTACHMENT I



U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

December 8, 2016

Mr. Louis Flores
Progress Queens, Inc.
No. 406
3421 77th Street
Jackson Heights, NY 11372
louis.flores@progressqueens.com

Re: Appeal No. DOJ-AP-2016-004870
Request No. FOIA-2016-02319
MTC:ADF

VIA: FOIAonline

Dear Mr. Flores:

You appealed from the fee waiver determination made by the Executive Office for United States Attorneys (EOUSA) on your Freedom of Information Act request for records located in the United States Attorney's Office for the Southern District of New York concerning speeches given by United States Attorney Preet Bharara.

After carefully considering your appeal, and as a result of discussions between EOUSA personnel and this Office, I am remanding your request to EOUSA for further consideration of your request for a fee waiver. You may appeal any future adverse determination made by EOUSA. If you would like to inquire about the status of this remand, please contact EOUSA directly.

If you have any questions regarding the action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

Sincerely,

Sean R. O'Neill
Chief, Administrative Appeals Staff

ATTACHMENT J



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

Suite 7300, Bicentennial Building
600 E Street, NW
Washington, DC 20530

(202) 252-6020
FAX (202) 252-6047

April 12, 2017

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319

Date of Receipt: April 25, 2016

Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

Dear Mr. Flores:

In response to your request for a waiver of fees in connection with the above-referenced FOIA request, the paragraph checked below applies:

1. ☐ Your request for a waiver of fees incurred in processing your access request is granted. Your access request is currently being processed, and a response will be made upon completion of all processing.

2. ☒ Your request for a waiver of fees to be incurred in processing your request is granted on public interest grounds. Therefore, all materials being made available to you will be provided at no charge.

Sincerely,

Kevin Krebs
Assistant Director

ATTACHMENT K



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

*Suite 7300, Bicentennial Building
600 E Street, NW
Washington, DC 20530*

*(202) 252-6020
FAX (202) 252-6047*

April 27, 2017

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319

Date of Receipt: April 25, 2016

Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

Dear Mr. Flores:

Your request for records under the Freedom of Information Act/Privacy Act is being processed. This letter and the accompanying material will be the first interim release of records in this case. This letter constitutes a reply from the Executive Office for United States Attorneys, the official record-keeper for all records located in this office and the various United States Attorneys' Office. To provide you with the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

We have processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you. In this first interim release, we are releasing the accompanying records to you in full.

We will continue to process this request and provide an additional interim release, or final letter when we are finished with processing your FOIA request. If you are not satisfied with our response to this request, you may seek review of our response in the U.S. District Court for the Southern District of New York, where this FOIA request is the subject of litigation. See 28 C.F.R. § 16.8(b) (2).

Sincerely,

Kevin Krebs
Assistant Director

Enclosure

ATTACHMENT L



MU.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

*Suite 7300, Bicentennial Building
600 E Street, NW
Washington, DC 20530*

*(202) 252-6020
FAX (202) 252-6047*

June 2, 2017

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319

Date of Receipt: April 25, 2016

Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

Dear Mr. Flores:

Your request for records under the Freedom of Information Act/Privacy Act is being processed. This letter, and the accompanying material, will be the second interim release of records in this case. This letter constitutes a reply from the Executive Office for United States Attorneys, the official record-keeper for all records located in this office and the various United States Attorneys' Office. To provide you with the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

We have processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you. In this second interim release, we are releasing the accompanying records to you in full. Also, we are providing you with an additional copy of the materials that were sent to you during the first interim release from EOUSA on or about April 27, 2017.

We will continue to process this request and provide an additional interim release, or a final letter when we are finished with processing your FOIA request. If you are not satisfied with our response to this request, you may seek review of our response in the U.S. District Court for the Southern District of New York, where this FOIA request is the subject of litigation. *See* 28 C.F.R. § 16.8(b) (2).

Sincerely,

Kevin Krebs
Assistant Director

Enclosure

ATTACHMENT M



U.S. Department of Justice

Executive Office for United States Attorneys

Freedom of Information and Privacy Staff

*Suite 7300, Bicentennial Building
600 E Street, NW
Washington, DC 20530*

*(202) 252-6020
FAX (202) 252-6047*

June 16, 2017

Louis Flores
Progress Queens, Inc.
34-21 77th Street
No. 406
Jackson Heights, New York 11372

Re: Request Number: FOIA-2016-02319

Date of Receipt: April 25, 2016

Subject of Request: Speeches made by USA Preet Bharara/Southern District of New York

IN LITIGATION

Dear Mr. Flores:

Your request for records under the Freedom of Information Act/Privacy Act has been processed. This letter constitutes a reply from the Executive Office for United States Attorneys, the official record-keeper for all records located in this office and the various United States Attorneys. This is the third and final release of records to you pursuant to this FOIA request.

To provide you with the greatest degree of access authorized by the Freedom of Information Act and the Privacy Act, we have considered your request in light of the provisions of both statutes.

The records you seek are located in a Privacy Act system of records that, in accordance with regulations promulgated by the Attorney General, is exempt from the access provisions of the Privacy Act. 28 CFR § 16.81. We have also processed your request under the Freedom of Information Act and are making all records required to be released, or considered appropriate for release as a matter of discretion, available to you. This letter is a [x] partial [] full denial.

Enclosed please find the following in this third and final release of records:

858 page(s) are being released in full (RIF);

179 page(s) are being released in part (RIP);

206 page(s) are withheld in full (WIF). **The redacted/withheld documents were reviewed to determine if any information could be segregated for release.**

In addition, 53 video files are being released in full (RIF), which contain video material of speeches given by former U.S. Attorney Preet Bharara.

In the first two releases that were provided to you on April 27, 2017, and June 2, 2017, EOUSA released 865 pages in full (RIF).

The exemption(s) cited for withholding records or portions of records are marked below. An enclosure to this letter explains the exemptions in more detail.

(B)(5)

(B)(6)

(B)(7)(c)

If you have any questions about this letter, please contact Assistant U.S. Attorney Rebecca S. Tinio at (212) 637-2774. Because this matter is now in litigation in the U.S. District Court for the Southern District of New York, this response may be reviewed in that forum, rather than administratively. *See* 28 C.F.R. § 16.8(b)(2).

Sincerely,



Kevin Krebs
Assistant Director

Enclosure(s)

EXPLANATION OF EXEMPTIONS

FOIA: TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by and Executive order to be kept secret in the in the interest of national defense or foreign policy and (B) are in fact properly classified pursuant to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual.
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

PRIVACY ACT: TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to Executive Order 12356 in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability eligibility, or qualification for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his identity would be held in confidence.

Flores v. Department of Justice
17 Civ. 36 (JGK)
Vaughn Index

Doc. No.	Pages	Description	Exemption	Justification
				SUMMARY OF ABBREVIATIONS “WIF”-Withheld in full “RIP”- Released in part “ACP” – Attorney Client Privileged “DP” – Deliberative Process “AUSA” – Assistant U.S. Attorney
Email Records Withheld in Full or Released in Part (email records released in part were contained in the “Compiled Docs” folder in the June 16, 2017 release)				
1	3	Email chain between dates of December 7, 2009 and December 28, 2009, involving the U.S. Attorney for the Southern District of NY, and a third party, who invited the U.S. Attorney to attend a speaking engagement, and containing legal advice being given to the U.S. Attorney, by an attorney at the SDNY regarding the U.S. Attorney’s attendance and prospective activity while attending the event.	WIF (b)(5) (ACP/DP) (b)(6) ¹	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the

¹ As explained in the accompanying declaration of Tricia Francis dated January 31, 2018, at the time that documents responsive to Plaintiff’s FOIA requests were initially processed, FOIA Exemption 7(C) was also asserted as to certain personally identifiable information of government personnel and third parties. However, all assertions of Exemption 7(C) have now been withdrawn.

				<p>government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
2	3	Email chain between an attorney at the USAO-SDNY and an Attorney-Advisor at the Office of General Counsel for EOUSA, which occurred between October 31, 2009 and November 5, 2009. The document shows a question being posed by the attorney from the SDNY, regarding the U.S. Attorney's	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-

		<p>attendance at an event, and the legal advice given by the Attorney-Advisor for EOUSA, in response to the question.</p>		<p>SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that</p>
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				disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
3	1	An email, dated September 25, 2009, between an attorney at the USAO-SDNY, the U.S. Attorney, and another member of the SDNY staff, in which the SDNY attorney was providing the U.S. Attorney with legal advice in connection with an event the U.S. Attorney was invited to attend.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive</p>

				<p>considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
4	3	<p>An email chain, dated between September 11, 2009 and September 22, 2009, which contains the names of an attorney from SDNY, a third party, and an Attorney-Advisor with EOUSA's GCO. The content of this email involves a question being posed by the SDNY attorney to EOUSA's GCO, and the legal advice provided by EOUSA's GCO to the SDNY. The matter relates to an event that the U.S. Attorney was requested to attend.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p>

				<p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
5	2	An email chain between the USAO-SDNY and EOUSA's GCO, dated September 18, 2009. In this document, an attorney with the SDNY is requesting advice from the EOUSA's OCGO regarding an invitation the U.S. Attorney received for an event. The document also contains legal advice from an Attorney-Advisor with the OGCO to the SDNY on the question presented. The names and contact information of these parties are presented in this document.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this</p>

				<p>information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
6	2	Email chain, dated between September 17 and September 18, 2009, which identifies members of USAO and a third party, and their contact information.	WIF	Exemption (b)(5) was applied to protect confidential communications

		<p>The document shows a third party inviting the U.S. Attorney to speak at an event. An attorney at the USAO-SDNY provided legal advice to the U.S. Attorney regarding his participation in the event.</p>	<p>(b)(5) (ACP/DP) (b)(6)</p>	<p>between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel,</p>
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				whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
7	2	Email chain, dated August 21, 2009, in which the names and contact information of staff at the USAO-SDNY and an Attorney Advisor with the OGCO are included. In this email, the staff at the SDNY is providing the OGCO with a document that pertains to the U.S. Attorney for the SDNY, for the purpose of obtaining legal advice. In order to be able to provide legal advice, the Attorney-Advisor for the OGCO acknowledges receiving the document, and requests additional information from the SDNY regarding the document.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics.</p>

				<p>Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
8	2	An email chain dated August 21, 2009, in which the names of OGCO staff and the SDNY are provided. Also, the content of this document involves detailed legal advice being provided to the SDNY by an attorney with the OGCO, which was prompted by a question presented to the OCGO by the SDNY.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably</p>

				<p>segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
9	2	An email chain, dated August 21, 2009, which contains a portion of the email chain found in Doc. No. 8. It contains the names of staff members from EOUSA's OGC and USAO-SDNY, in which legal advice is being provided to the SDNY by the OGC's Attorney.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public</p>

			<p>speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
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10	2	<p>An email chain, dated October 13, 2009, between an attorney at the USAO-SDNY and the U.S. Attorney, in which the SDNY attorney provided legal advice to the U.S. Attorney regarding an event to which the U.S. Attorney was invited. The advice contained in this document was originally given by the OGCO.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other</p>
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				identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
11	1	An email from an attorney at the SDNY to EOUSA's OCGO, seeking legal advice regarding an invitation that was extended to the U.S. Attorney by an outside organization. This email, dated October 9, 2009, shows the SDNY attorney discussing the event, and seeking legal advice from the OGCO on behalf of the U.S. Attorney.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as</p>

				<p>discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
12	2	An email, dated October 8, 2009, from an attorney in EOUSA's OGCO, to an attorney at the USAO-SDNY, in which the OGCO attorney is responding to an inquiry by the SDNY attorney, regarding the U.S. Attorney's ability to accept gifts while at speaking engagements. In this document, the attorney at the OGCO is providing legal advice to the member of staff at the SDNY on DOJ's gift policy, and how it would apply to the U.S. Attorney. The email identifies the author and recipient by name and their contact information.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and</p>

				<p>utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
13	2	An email, dated September 30, 2009, in which an attorney with the OGCO and an attorney at the USAO-SDNY are identified by name and their contact information. In this document, the attorney with the OGCO is providing legal advice to the attorney at the USAO-SDNY, regarding an invitation to the U.S. Attorney to attend an event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or</p>

				<p>providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly</p>
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				unwarranted invasion of personal privacy. There are no public interests to weigh.
14	2	An email, dated October 29, 2009, in which an attorney with the OGCO for EOUSA is providing an attorney at the USAO-SDNY with legal advice on the U.S. Attorney's attendance at an event.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
15	2	An email chain, dated August 21, 2009, which identifies attorneys at the USAO-SDNY, and members of staff at the OGCO for EOUSA. This document contains legal advice that was given by an OGCO attorney to the SDNY, regarding the U.S. Attorney's attendance at an event. Further, the document shows an attorney at the SDNY providing the U.S. Attorney with this advice.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.

				<p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
16	3	An email chain, dated December 30, 2009, which identifies members of staff at EOUSA's OGCO and the USAO-SDNY. The document contains legal advice given by an attorney with the OGCO to the SDNY, regarding the U.S. Attorney's attendance at an event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an</p>

				<p>intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
17	3	Duplicate of Doc. 16	Same	Same
18	2	Duplicate of emails found in Doc. 16	Same	Same

19	2	<p>An email chain, dated December 30, 2009, in which members of staff with the OGCO and USAO-SDNY are identified. An email, which contains legal advice from an OCGO attorney to the SDNY regarding the U.S. Attorney's attendance at an event, is found in Doc. 16. A separate page contains the USAO-SDNY's response to the email.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other</p>
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				identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
20	2	Duplicate of an email found in Docs. 16-19.	Same	Same
21	1	An email chain, dated between August 16 and August 17, 2010, in which the names and contact information of members of staff at the USAO-SDNY and an outside organization are identified. The email contains legal advice being provided by an attorney at the USAO-SDNY to the U.S. Attorney regarding his invitation to and attendance at an event.	RIP (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document. Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications

				<p>among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
22	3	An email chain dated October 25, 2010, which contains the names and contact information of members of staff at the OGCO for EOUSA, and the USAO-SDNY. This email contains legal advice being provided by an attorney with the OGCO to the USAO-SDNY, regarding the U.S. Attorney's attendance at an event. The email also contains legal advice being given by an attorney at the USAO-SDNY to the U.S. Attorney, regarding his attendance of the event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and</p>

				<p>utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
23	2	An email chain, dated between October 25 and October 29, 2010, in which the names and contact information for members of staff at the USAO-SDNY and an outside organization are identified. The email also contains a description of a discussion of legal issues that an attorney with the USAO-SDNY had with an attorney with EOUSA's OGC regarding the U.S. Attorney's attendance and participation at this event.	<p>RIP</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or</p>

			<p>providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly</p>
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				unwarranted invasion of personal privacy. There are no public interests to weigh.
24	1	An email chain, dated August 30, 2010, in which members of staff at the USAO-SDNY and other Department of justice employees are identified. Also, the email contains legal advice being provided by an attorney at the USAO-SDNY to the U.S. Attorney regarding his attendance and participation at an event.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
25	1	An email, dated June 21, 2011, in which the name and contact information of members of staff from EOUSA's OGC and the USAO-SDNY are identified. The email contains the legal analysis and advice of an OGC attorney to the USAO-SDNY about the U.S. Attorney's attendance and participation in an event.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.

				<p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
26	2	Duplicate of email chain found in Docs. 16-19	Same	Same
27	2	Duplicate of Doc. 23	Same	Same
28	2	Duplicate of Doc. 23	Same	Same
29	1	Duplicate of Doc. 23	Same	Same
30	2	An email, dated October 7, 2010, which identifies members of staff of EOUSA's OGC and the USAO-SDNY. The email contains the legal analysis and advice of an OGC Attorney regarding the U.S. Attorney's attendance and participation for an event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of

			<p>governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal</p>
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				privacy. There are no public interests to weigh.
31	2	An email, dated October 7, 2010, which identifies members of staff of EOUSA's OGC and the USAO-SDNY. The email contains the legal analysis and advice of an OGC Attorney regarding the U.S. Attorney's attendance and participation for an event, and the USAO-SDNY's attorney's response to that advice.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
32	2	Duplicate of an email contained in Docs. 30-31	Same	Same
33	2	An email chain, dated between February 23 and February 25, 2010, in which the names and contact information of members of staff at EOUSA's OGC, the USAO-SDNY, and an outside organization are identified. The email contains communications between the USAO-SDNY and EOUSA's OGC, where legal advice was sought from the OGC regarding the U.S. Attorney's attendance and participation for an event. The chain also contains the legal analysis and advice of an OGC Attorney regarding the U.S. Attorney's attendance and participation in the event.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.

				<p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
34	2	This document contains duplicates found in Doc. 32, and an additional email between attorneys and staff at the USAO-SDNY, where legal advice is provided regarding the U.S. Attorney's attendance and participation for an event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an</p>

				<p>intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
35	3	Duplicate of records contained in Doc. Nos. 33 and 34.	WIF (b)(5) (ACP/DP)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-

			(b)(6)	<p>SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these</p>
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				documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
36	3	An email chain, dated between February 22 and February 23, 2010, in which the names and contact information for members of staff with EOUSA's OGC, USAO-SDNY, and an outside organization are identified. The email contains the legal analysis and advice of the OGC attorney regarding the U.S. Attorney's attendance and participation for an event.	RIP (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the</p>

				<p>candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
37	4	This document contains duplicate pages of Doc. 35, and an additional email between attorneys at the USAO-SDNY, in response to legal advice given by the OGC Attorney, regarding the U.S. Attorney's attendance and participation in an event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably</p>

				<p>segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
38	4	<p>An email chain, dated between February 22 and February 23, 2010, in which the names and contact information for members of staff with EOUSA's OGC, USAO-SDNY, and an outside organization are identified. The email contains the legal analysis and advice of the OGC attorney regarding the U.S. Attorney's attendance and participation for an event. The email also contains the legal advice of an attorney at the USAO-SDNY, regarding the U.S. Attorney's attendance and participation in the event, based on the legal advice provided by EOUSA's OGC.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public</p>

				<p>speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
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39	3	<p>An email chain between the USAO-SDNY and EOUSA's OGC, dated between February 22 and February 23, 2010, in which the names and contact information for EOUSA's OGC, the USAO-SDNY, and an outside organization are identified. The email contains an invitation for the U.S. Attorney to attend an event. In it, attorneys at the USAO-SDNY are seeking the legal advice of EOUSA's OGC regarding the U.S. Attorney's attendance and participation in an event. Portions of this email are also duplicates of Docs. 35-37.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other</p>
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				identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
40	3	Email from an outside organization to the USAO-SDNY, in which the U.S. Attorney is invited to attend an event. The email identifies members of EOUSA's OGC, the USAO-DC, and an outside organization by name and contact information. The email contains content showing that the USAO-SDNY is seeking legal advice from EOUSA's OGC, regarding the U.S. Attorney's attendance and participation at this event. It contains information provided by the USAO-SDNY in order to assist EOUSA's OGC with providing legal advice regarding the U.S. Attorney's participation in the event. Portions of this email are duplicates of Docs 35-38.	RIP (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as</p>

				<p>discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
41	2	<p>Email from an outside organization to the USAO-SDNY, in which the U.S. Attorney is invited to attend an event. The email identifies members of EOUSA's OGC, the USAO-DC, and an outside organization by name and contact information. The email contains content showing that the USAO-SDNY is seeking legal advice from EOUSA's OGC, regarding the U.S. Attorney's attendance and participation at this event. It contains information provided by the USAO-SDNY to assist EOUSA's OGC with providing legal advice regarding the U.S. Attorney's participation in the event. Portions of this email are duplicates of Docs 35-38.</p>	<p>RIP</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to</p>

				<p>ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
42	4	An email chain, dated between February 22 and February 23, 2010, in which the names and contact information for members of staff with EOUSA's OGC, USAO-SDNY, and an outside organization are identified. The email contains an exchange, including the legal analysis and advice of the OGC attorney regarding the U.S. Attorney's attendance and participation for an event. The email also contains additional communication between attorneys and staff at	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically

		<p>the USAO-SDNY, regarding and reflecting the legal advice that was provided by EOUSA's OGC. Portions of this email are duplicates of Docs 35-41.</p>	<p>relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal</p>
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				privacy. There are no public interests to weigh.
43	2	An email chain, dated May 3, 2011, in which the names and contact information for members of staff with EOUSA's OGC and the USAO-SDNY are identified. The email contains a response from EOUSA's OGC to the USAO-SDNY regarding a legal issue relating to the U.S. Attorney's attendance and participation at an event. The email contains the OGC attorney's legal analysis and advice to the USAO-SDNY. Also, the email contains a response, regarding the OGC's advice, regarding the U.S. Attorney's attendance and participation in the event.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
44	3	An email chain, dated between August 10 and August 11, 2011, in which the names and contact information between members of staff at EOUSA's OGC and the USAO-SDNY are identified. An attorney at the USAO-SDNY presented a detailed legal issue for EOUSA's OGC to analyze and provide advice. An attorney with the OGC provided legal advice in response to the email sent by the attorney at the USAO-SDNY.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would</p>

				<p>reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
45	2	An email chain, dated between September 30, 2011 and October 6, 2011, in which the names and contact information of members of staff at EOUSA's OGC and the USAO-SDNY. The email contains a request from the USAO-SDNY for legal advice from the OGC's office regarding the U.S. Attorney's attendance and participation in an event, and the OGC attorney's legal analysis and advice on the question that was raised by the USAO-SDNY. This chain also contains the USAO-SDNY's response to the OGC's legal analysis and advice.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the</p>

				<p>government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
46	2	An email chain, dated between September 30, 2011 and October 6, 2011, in which the names and contact information of members of staff at EOUSA's OGC and the USAO-SDNY. The email contains a request from the USAO-SDNY for legal advice from the OGC's office regarding the U.S. Attorney's attendance and participation in an event, and the OGC attorney's legal	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made</p>

		<p>analysis and advice on the question that was raised by the USAO-SDNY. This email chain also contains the USAO-SDNY attorney's legal advice to the U.S. Attorney, on his attendance and participation in the event. A portion of this document is a duplicate of Doc. 44.</p>	<p>for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be</p>
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				expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
47	2	An email chain, dated between September 30, 2011 and October 6, 2011, in which the names and contact information of members of staff at EOUSA's OGC and the USAO-SDNY. The email contains a request from the USAO-SDNY for legal advice from the OGC's office regarding the U.S. Attorney's attendance and participation in an event, and the OGC attorney's legal analysis and advice on the question that was raised by the USAO-SDNY.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive</p>

				<p>considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
48	1	An email chain, dated September 30, 2011, in which the names and contact information of members of staff at EOUSA's OGC and the USAO-SDNY. The email contains a request from the USAO-SDNY for legal advice from the OGC's office regarding the U.S. Attorney's attendance and participation in an event, and the OGC assigning the matter to an attorney for review.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p>

				<p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
49	1	An email, dated September 30, 2011, in which members of staff from the USAO-SDNY and EOUSA's OGC identified. The email contains a request for legal advice from the SDNY to the OGC, regarding the U.S. Attorney's attendance and participation in an event to which he was invited.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this

				<p>information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
50	2	An email chain, dated between September 30, 2011 and October 6, 2011, in which the names and contact information of members of staff at EOUSA's	WIF	Exemption (b)(5) was applied to protect confidential communications

		<p>OGC and the USAO-SDNY. The email contains a request from the USAO-SDNY for legal advice from the OGC's office regarding the U.S. Attorney's attendance and participation in an event, and the OGC attorney's legal analysis and advice on the question that was raised by the USAO-SDNY. This email chain also contains the USAO-SDNY attorney's legal advice to the U.S. Attorney, on his attendance and participation in the event. The email also contains a response on behalf of the U.S. Attorney for the SDNY. A portion of this document is a duplicate of Docs. 44-45.</p>	<p>(b)(5) (ACP/DP) (b)(6)</p>	<p>between client and counsel (USAO-SDNY/EOUUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel,</p>
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				whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
51	3	An email chain, dated August 15, 2012, in which the names and contact information of members of staff from EOUSA's OGC and the USAO-SDNY are identified. The email contains the legal analysis and advice provided by OGC's attorney to the USAO-SDNY regarding the U.S. Attorney's attendance and participation in an event. The email also contains an SDNY attorney's legal advice to the U.S. Attorney, regarding the legal advice received from OGC.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics.</p>

				<p>Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making. Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
52	3	<p>An email chain, dated August 15, 2012, in which the names and contact information of members of staff from EOUSA's OGC and the USAO-SDNY are identified. The email contains the legal analysis and advice provided by OGC's attorney to the USAO-SDNY regarding the U.S. Attorney's attendance and participation in an event. The email also contains an SDNY attorney's response to OGC after receiving its advice.</p>	<p>WIF (b)(5) (ACP/DP) (b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably</p>

				<p>segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
53	7	An email chain, dated between June 25, 2012 and August 15, 2012, in which the names and contact information for members of staff from EOUSA's OGC, the USAO-SDNY, and from an outside organization are identified. The email contains the SDNY's request for legal advice from the OGC, and the OGC's legal analysis and advice regarding the U.S. Attorney's attendance and participation to an event. The email chain contains facts that were discussed between the OGC and the USAO-SDNY as part of the discussion of legal issues, which were a factor in the OGC Attorney's legal advice to the District.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public

			<p>speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
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54	6	<p>An email chain, dated between June 25, 2012 and August 15, 2012, in which the names and contact information for members of staff from EOUSA's OGC, the USAO-SDNY, and from an outside organization are identified. The email contains the SDNY's request for legal advice from the OGC, and the OGC's legal analysis and advice regarding the U.S. Attorney's attendance and participation to an event. The email chain contains facts that were discussed between the OGC and the USAO-SDNY as part of the discussion of the relevant legal issues, which were a factor in the OGC Attorney's legal advice to the District. This email chain is a duplicate of the first six pages of Doc. 52.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other</p>
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				identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
55	6	Duplicate of Doc. 54	Same	Same
56	6	An email chain, dated between June 25, 2012 and August 9, 2012, in which the names and contact information for members of staff from EOUSA's OGC, the USAO-SDNY, and from an outside organization are identified. The email contains the SDNY's request for legal advice from the OGC, and the OGC's legal analysis and advice regarding the U.S. Attorney's attendance and participation to an event. The email chain contains facts that were discussed between the OGC and the USAO-SDNY as part of the discussion of relevant legal issues, which were a factor in the OGC Attorney's legal advice to the District. This email chain is a duplicate of six pages contained in Doc. 52.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document. Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications

				<p>among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
57	7	Duplicates of Docs 53-56	Same	Same
58	5	An email chain, dated between June 25, 2012 and August 2, 2012, in which the names and contact information for members of staff from EOUSA's OGC, the USAO-SDNY, and from an outside organization are identified. The email contains the SDNY's request for legal advice from the OGC regarding the U.S. Attorney's attendance and participation at an event. The email chain contains additional dialogue between the OGC and the USAO-SDNY regarding the legal advice being sought by the USAO-SDNY on the issue. This document is largely a duplicate of Docs 53-56.	<p>RIP</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client

				<p>relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
59	3	An email, dated August 15, 2012, in which the names and contact information of members of staff of EOUSA's OGC and USAO-SDNY are identified. Also, the email contains the OGC Attorney's legal analysis and advice on the U.S.	WIF WIF	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-

		Attorney's attendance and participation in an event. The pages to this document are also contained in Docs. 53-57.	(b)(5) (ACP/DP) (b)(6)	<p>SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that</p>
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				disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
60	1	An email, dated April 12, 2012, in which an attorney at the USAO-SDNY is providing the U.S. Attorney legal advice on an issue. The email contains the SDNY attorney's identity, the legal question presented by/on behalf of the U.S. Attorney, and the SDNY attorney's legal analysis and advice.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive</p>

				<p>considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
61	4	An email chain, dated between January 25 and January 29, 2012, in which the names and identifying information of members of staff at the USAO-SDNY and an outside organization are identified. The email contains the legal analysis and advice given between SDNY attorneys and the U.S. Attorney regarding a legal issue that was presented relating to an outside event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p>

				<p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
62	4	Duplicate of Doc. 61	Same	Same
63	2	An email chain, dated between May 2 and May 3, 2012, in which the names and contact information for members of staff with EOUSA's OGC and the USAO-SDNY are identified. This email contains the OGC Attorney's legal analysis and advice regarding the U.S. Attorney's attendance and participation in an event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the

				<p>U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
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64	1	<p>An email, dated December 19, 2013, between members of staff of EOUSA's GCO and the USAO-SDNY, in which the GCO's office was providing information and legal advice regarding travel for the U.S. Attorney.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other</p>
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				identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
65	2	An email chain, dated between November 25 and December 2, 2013, in which the names and contact information of various members of the USAO-SDNY and an outside organization are identified. The email contains an invitation to the U.S. Attorney to attend an event, and a request by a staff member for a more senior member of staff to offer legal advice regarding the U.S. Attorney's attendance and participation in the event. The email contains that senior staff member's legal analysis and advice regarding this issue to the U.S. Attorney.	RIP (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as</p>

				<p>discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
66	5	An email chain, dated between December 10 and December 20, 2013, in which the names and contact information of various members of staff for the USAO-SDNY and an outside organization are identified. The email contains a discussion of legal issues regarding the U.S. Attorney's attendance and participation in an event. There is a discussion regarding the process of vetting the event for compliance with ethical rules.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to</p>

				<p>ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
67	3	An email chain, dated between December 3 and December 10, 2013, in which the names and contact information for members of staff at the USAO-SDNY are identified. The email contains a request for information regarding conducting legal ethics analyses for the U.S. Attorney's attendance at events he had been invited to attend.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically

			<p>relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal</p>
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				privacy. There are no public interests to weigh.
68	3	An email chain, dated between December 3 and December 10, 2013, in which the names and contact information for members of staff at the USAO-SDNY are identified. The email contains a request for information regarding conducting legal ethics analyses for the U.S. Attorney's attendance at events he had been invited to attend. The email also contains a request for additional information from USAO-SDNY attorney who was seeking information to conduct legal ethics analyses.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
69	2	An email chain, dated between December 3 and December 4, 2013, in which the names and contact information for members of staff at the USAO-SDNY are identified. The email contains a request for information regarding conducting legal ethics analyses for the U.S. Attorney's attendance at events he had been invited to attend. The email also contains a request for additional information from USAO-SDNY attorney who was seeking information to conduct legal ethics analyses. These pages are contained in Documents 66 and 67.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would</p>

				<p>reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
70	2	<p>An email chain, dated December 3, 2013, in which the names and contact information for members of staff at the USAO-SDNY are identified. The email contains a request for information regarding conducting legal ethics analyses for the U.S. Attorney's attendance at events he had been invited to attend. These pages are duplicates of what are contained in Documents 66 and 68.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client</p>

				<p>relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
71	3	An email chain, dated between November 20 and 25, 2013, in which the names and contact information for staff from the USAO-SDNY and an outside organization are identified. The email contains an invitation to the USAO for the U.S. Attorney to attend an event. Also, the email chain contains a	<p>RIP</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOWUSA OGC, and/or USAO-

		<p>discussion between members of staff at the USAO-SDNY regarding the need to undergo vetting procedures for this event in order to comply with ethics requirements, and the status of an legal ethics analysis for the U.S. Attorney to attend another event. This document consists of three pages, where one page was released in full, and the remaining two pages were released in part.</p>		<p>SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that</p>
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				disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
72	3	Duplicate of Document 71.	Same	Same
73	2	An email chain, dated between November 13 and November 22, 2013, in which the names and contact information of staff at the USAO-SDNY and an outside organization are identified. The email contains an exchange between the USAO-SDNY and the outside organization, regarding information that the District needs in order to conduct its vetting procedures for the event for compliance with ethics requirements. Also, the email contains an exchange between staff at the USAO-SDNY, regarding the sufficiency of the information that was provided by the outside organization to conduct a legal ethics analysis, and the U.S. Attorney's attendance at the event.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document. Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the

				<p>candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
74	2	An email chain, dated between November 13 and November 21, 2013, which are duplicate pages of what is contained in Document 73, and withheld in full.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably</p>

				<p>segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
75	6	An email chain, dated between September 16 and October 17, 2013, in which the names and contact information for staff at the USAO-SDNY and an outside organization are identified. The email contains an exchange between members of staff at the USAO-SDNY regarding the information it received from the outside organization and that the information was circulated among the District's staff for the purpose of conducting a legal ethics analysis.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public</p>

			<p>speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
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76	3	<p>An email chain, dated between December 3 and December 10, 2013, in which the names and contact information for members of staff at the USAO-SDNY are identified. The email contains a request for information regarding conducting legal ethics analyses for the U.S. Attorney's attendance at events he had been invited to attend. The email also contains a request for additional information from a USAO-SDNY attorney who was seeking information to conduct legal ethics analyses, and the result of the District's legal ethics analysis.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other</p>
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				identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
77	1	An email chain, dated between August 30 and September 5, 2013, in which the name and contact information for staff at the USAO-SDNY and an outside organization are identified. The email contains references to an event the U.S. Attorney had been invited to, and a discussion regarding receipt of information from the outside organization to do a legal ethics analysis.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
78	5	An email chain, dated between May 31 and June 3, 2013, in which the names and contact information for staff at EOUSA's OGC and USAO-SDNY are identified. The email contains a discussion about an event the U.S. Attorney had been invited to attend, a request for assistance from the OGC to determine if his attendance/participation was permitted under governmental ethics rules, and the legal analysis and advice provided by the OGC Attorney. The email also contains additional communication between attorneys at the USAO-SDNY about the legal advice provided by the OGC Attorney.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the

				<p>government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
79	5	Duplicate of Doc. No. 78.	Same	Same
80	5	Duplicate of a portion of the email chain that is contained in Doc. 78. This document contains an exchange between the USAO-SDNY staff regarding the U.S. Attorney's prior attendance at an event for a specific organization and the legal ethics analysis relating thereto.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-

				<p>SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that</p>
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				disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
81	4	Duplicate of a portion of the email chain that is found in Doc. Nos. 77-80.	Same	Same
82	7	An email chain, dated between October 3 and October 7, 2013, in which the names and contact information for staff at USAO-SDNY and an outside organization are identified. This email contains an invitation for the U.S. Attorney to attend an event, and information in support of a legal ethics analysis to be conducted by the USAO-SDNY.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
83	7	Duplicate of Doc. No. 82	Same	Same
84	1	An email, dated January 9, 2014, in which members of staff with EOUSA's OGC and the Southern District of New York discuss legal ethical issues relating to non-Federal travel reimbursement for the U.S. Attorney.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and

				<p>utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
85	9	An email chain, dated between August 20 and November 21, 2014, between a member of staff with the Southern District of New York, and members of an outside organization, and communications among members of staff at the Southern District of New York. The email chains discuss legal issues relating to an invitation being extended to the U.S. Attorney, for his attendance and participation in an event. The email contains communication between	<p>RIP</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or</p>

		<p>members of staff regarding its response to the outside organization's invitation to the U.S. Attorney, as well as the communication between staff at the Southern District and representatives of the outside organization. It contains the name and contact information for third parties, and contact information for a member of staff at the Southern District.</p>	<p>providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly</p>
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				unwarranted invasion of personal privacy. There are no public interests to weigh.
86	1	An email, dated November 10, 2014, in which members of staff from the Southern District of New York are discussing changes to their legal ethical vetting process regarding participation in outside events.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
87	9	Duplicate of Doc. No. 85	Same	Same
88	11	An email chain that is dated between July 22 and October 20, 2014, which shows communications between a member of an outside organization and staff at the Southern District of New York, regarding an invitation that was extended to the U.S. Attorney for his attendance and participation at an event. The chain contains the name and contact information for the person who is affiliated with the outside organization.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
89	2	An email chain, dated between October 8 and October 14, 2014, between an attorney with the Southern District of New York and a member of an outside organization who is inviting the U.S. Attorney to attend an event. The communication contains questions posed by the Southern District of New York, to conduct a legal ethics vetting process for the U.S. Attorney's attendance at the event. The document also contains the name and contact information for a third party – the representative of the organization.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal

				privacy. There are no public interests to weigh.
90	2	An email chain, dated October 8, 2014, between an attorney with the Southern District of New York and a member of an outside organization who is inviting the U.S. Attorney to attend an event. The communication contains questions posed by the Southern District of New York, to conduct a vetting process for the U.S. Attorney's attendance at the event. The document also contains the name and contact information for a third party – the representative of the organization.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
91	2	This record is a duplicate of an email contained in Doc. Nos. 89-90.	Same	Same
92	1 (23)	An email, dated October 2, 2014, which contains the names of employees with the USAO-SDNY. The first page was released in part, and the remaining 22 pages were released in full to the requestor.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
93	2	An email chain, dated between September 19, 2014 and September 24, 2014, in which members of staff at the USAO-SDNY and members of an outside organization discuss an invitation that was extended to the U.S. Attorney, to speak at an event for the organization. The email chain identifies members of the outside organization by name and contact information, as well as the contact information for members of staff at the USAO-SDNY. The email also contains a legal assessment by attorneys at the USAO-SDNY of the type of	RIP (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically

		<p>event that the U. S. Attorney was invited to attend, during the District's legal ethics vetting process for the event.</p>		<p>relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal</p>
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				privacy. There are no public interests to weigh.
94	1 (73)	An email, dated September 24, 2014, which contains the names of employees with the USAO-SDNY. The remaining 72 pages of this document were released in full to the requestor.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
95	4	An email chain, dated between August 14 and September 16, 2014, between members of staff at the USAO-SDNY and a member of an outside organization. The email contains an invitation to the U.S. Attorney for the SDNY to attend an event. It contains the names of various third parties who will be participating in the event, and the names and contact information of those who are on the email chain.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
96	1	An email, dated October 21, 2014, between an attorney at the USAO-SDNY and EOUSA's OGC. The email contains the identities and contact information for these individuals, and it contains a legal assessment, by the SDNY, regarding past events that the U.S. Attorney had attended, and whether his name was properly used in connection with those events, in order to provide the OGC Attorney with information for the purpose of providing legal advice regarding a pending invitation for the U.S. Attorney's attendance at an event.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the

				<p>U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
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97	2	A two-paged email, dated September 4, 2014, between a member of an outside organization and the USAO-SDNY. This email chain contains the names and identities of a member of an outside organization, and staff at the USAO-SDNY. Also it contains a request by the district of information to be used for vetting an event that the U.S. Attorney was invited to attend for compliance with legal ethics rules.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
98	2	Duplicate of a portion of the email chain that is contained in Doc. No. 97.	Same	Same
99	2	Duplicate of a portion of the email chain that is contained in Doc. No. 97-98. This portion of the email chain shows members of staff at the USAO-SDNY discussing the vetting questionnaire, and what information to receive from the outside organization, regarding an event that the U.S. Attorney was invited to attend, in order to conduct a legal ethics analysis. It shares their identities and their contact information.	WIF (b)(5) (DP) (b)(6)	Exemption (b)(5) is asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making. Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal

				privacy. There are no public interests to weigh.
100	1	Duplicate of a portion of the email chain that is contained in Doc. Nos. 97-99. This portion of the email chain shows members of staff at the USAO-SDNY discussing the vetting questionnaire, and what information to receive from the outside organization, regarding an event that the U.S. Attorney was invited to attend, in order to conduct a legal ethics analysis. It shares their identities and their contact information.	WIF (b)(5) (DP) (b)(6)	<p>Exemption (b)(5) is asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
101	1	Duplicate of a portion of the email chain that is contained in Doc. Nos. 96-100. This portion of the email chain shows members of staff at the USAO-SDNY discussing the vetting questionnaire, and what information to receive from the outside organization, regarding an event that the U.S. Attorney was invited to attend, in order to conduct a legal ethics analysis. It shares their identities and their contact information.	WIF (b)(5) (DP) (b)(6)	<p>Exemption (b)(5) is asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
102	1	An email chain, dated September 11, 2014, where members of staff at the USAO-SDNY refer to a vetting questionnaire to be provided to an outside organization, where a request was made regarding the status of vetting an invitation for a speaking engagement that was extended to the U.S. Attorney for legal ethics purposes. Also, this email provides the identity and contact information for the staff members who are on the email chain.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOWUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.

				<p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
103	1	Duplicate of a portion of the email chain that is contained in Doc. No. 102.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an</p>

				<p>intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
104	2	Duplicate of a portion of the email that is contained in Doc. No. 96, but contains legal advice that was provided by an SDNY attorney to another about the U.S. Attorney's attendance at an event.	WIF (b)(5) (ACP/DP)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-

			(b)(6)	<p>SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these</p>
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				documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
105	1 (73)	Duplicate of Doc. No. 94. The first page of that email chain was released in part, and the remaining 72 pages were released in full to the requestor.	Same	Same
106	2	Duplicate of Doc. No. 93	Same	Same
107	1 (23)	Duplicate of Doc. No. 92. The first page was released in part to the requestor, and the remaining 22 pages were released in full.	Same	Same
108	2	A two-paged email, dated October 8, 2014, in which a member of staff at the USAO-SDNY is asking a member of an outside organizations to answer vetting questions about an event to which the U.S. Attorney was invited, for the USAO's consideration. Also, the email contains the names and contact information of these individuals.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
109	2	Duplicate of Doc. No. 108.	Same	Same
110	2	A two-paged email, dated between October 8, 2014, in which a member of staff at the USAO-SDNY is asking a member of an outside organizations to answer vetting questions about an event to which the U.S. Attorney was invited, for the USAO's consideration. Also, the email contains the names and contact information of these individuals.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

111	2	A two-paged email, dated between October 8 and October 14, 2014, in which a member of staff at the USAO-SDNY is asking a member of an outside organizations to answer vetting questions about an event to which the U.S. Attorney was invited, for the USAO's consideration. The email contains the names and contact information of these individuals.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
112	11	An 11-paged email chain, dated between July 22 and October 20, 2014, in which a member of staff at the USAO-SDNY and an outside organization are exchanging information which would allow the SDNY to conduct the vetting process for an event that the U.S. Attorney was invited to attend. The email contains the names and contact information for members of staff at the SDNY and for the outside organization.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
113	9	A nine-paged email chain, dated between August 20 and October 10, 2014, in which a member of staff at the USAO-SDNY and a member of an outside organization are exchanging information which would allow the SDNY to conduct the vetting process for the U.S. Attorney's attendance and participation in the event. The email also contains an exchange between attorneys and staff at the SDNY regarding the information which was received from the outside organization for the purposes of conduct a legal ethics analysis. The last page of this document was withheld in full, and the other pages were released in part.	RIP (b)(5) (DP) (b)(6)	Exemption (b)(5) is asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
114	1	An email, dated November 1, 2014, in which members of staff at the USAO-SDNY are discussing revisions that were made to the District's vetting questionnaire for the purposes of conduct legal ethics analyses of events to which the U.S. Attorney is invited. Also, the form contains the name and contact information for these staff members at the district.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would</p>

				<p>reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
115	9	<p>The first page of this nine-paged email chain, dated November 21, 2014, consists of communication between staff members for the USAO-SDNY, where one informs the other of the actions it asked an external organization to take regarding the vetting of an event to which the U.S. Attorney was invited. It contains the names of members of staff at the USAO-SDNY. The remainder of this document is a duplicate of Doc. No. 113.</p>	<p>WIF</p> <p>(b)(5) (DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) is asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third</p>

				<p>parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
116	1	<p>An email, dated January 9, 2014, in which a member of staff of EOUSA's OGC is requesting that staff at the USAO-SDNY complete a form relating to Non-Federal Travel Reimbursement, for the purposes of providing legal advice. The email contains a directive from EOUSA's OGC to the SDNY regarding the form. Also, the form contains the names of members of staff from both offices, and the contact information of the staff member from OGC.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various</p>

				<p>questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
117	2	<p>A two-paged email chain, dated between October 27 and November 2, 2015, between members of staff at the USAO-SDNY, which consists of legal advice being provided between staff members regarding an ethics question that was raised in connection with an outside organization's invitation to the U.S. Attorney to attend and participate in an event. The email chain also contains the invitation from the outside organization to the U.S. Attorney, for his attendance and participation in an event. The email chain contains the names of members of staff from both offices, as well as the contact information for some.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the</p>

				<p>law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>
118	2	Duplicate of a portion of the email contained in Doc. No. 117. This portion of the email contains communications between staff at the USAO-SDNY regarding vetting information to be received from the outside organization for the purposes of conducting a legal ethics analysis, and names and contact information.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably</p>

				<p>segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
119	2	Duplicate of a portion of the email contained in Doc. No. 116 and 118. This portion of the email contains communications between staff at the USAO-SDNY regarding vetting information to be received from the outside organization for the purpose of conducting a legal ethics analysis, and names and contact information.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public</p>

			<p>speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
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120	1	<p>Duplicate of a portion of the email contained in Doc. No. 116 and 119. This portion of the email contains communications between staff at the USAO-SDNY regarding vetting information to be received from the outside organization for the purpose of conducting a legal ethics analysis, and names and contact information.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other</p>
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				identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
121	2	An email chain, dated between May 3 and September 3, 2015, containing communications between members of staff at the USAO-SDNY and an outside organization, regarding the U.S. Attorney's attendance and participation at an event. The email contains the names and contact information for staff at both offices.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
122	3	An email chain, dated April 6, 2015, in which a member of staff at the USAO-SDNY is seeking legal advice from and providing information to an attorney with EOUSA's OGC, regarding the U.S. Attorney's attendance and participation at an event. The email contains the names of the staff members from both offices, as well as legal analysis by the OGC attorney.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the

				<p>government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
123	3	Duplicate of email in Doc. No. 122.	Same	Same
124	3	Duplicate of a portion of the email chain contained in Doc Nos. 122-123.	Same	Same
125	6	A six-paged email, dated between February 12 and April 10, 2015, in which a member of an outside organization has invited the U.S. Attorney to attend and participate in an event. The email chain also consists of communications	RIP (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-

		<p>between members of staff at the USAO-SDNY, where legal advice is both sought and provided between them regarding the U.S. Attorney's attendance at this event. This email chain contains the names of staff members at the District, and at the outside organization, as well as contact information for some of those whose names appear in this document. The first and sixth pages to this document were withheld in full, and the remaining pages were released in part to the requestor.</p>		<p>SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these</p>
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				documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
126	6	Duplicate of a portion of the email chain contained in Doc. No. 125.	Same	Same
127	6	Duplicate of Doc. No. 125.	Same	Same
128	6	Duplicate of portions of an email chain found in Doc Nos. 125	Same	Same
129	5	Duplicate of a portion of the emails chain found in Doc. Nos 125	Same	Same
130	2	A two-paged email, dated April 1, 2015, where a member of staff at the USAO-SDNY, wrote to the duty attorney at EOUSA's OGC, regarding a legal issue relating to the U.S. Attorney's attendance and participation at an event. The email chain also shows a specific attorney at the OGC being assigned to handle the SDNY's inquiry. Also, it contains the names of staff from both offices, and contact information for the member of staff at the USAO-SDNY.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.

				<p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
131	2	Duplicate of a portion of the email found in Doc. No. 129.	Same	Same
132	1	An email, dated July 16, 2015, in which a staff member of the USAO-SDNY sought the legal advice of an SDNY attorney regarding the U.S. Attorney's attendance and participation at an event.	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this

			<p>information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
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133	1 (76)	An email, dated April 24, 2015, in which a member of staff's name is identified. The first page of this document was released in part to the requestor, and the remaining 75 pages were released in full.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
134	1 (100)	An email dated April 16, 2015, in which a member of staff's name is identified. The first page of this document was released in part to the requestor, and the remaining 99 pages were released in full.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
135	3	A three-paged email chain, dated between April 6 and April 9, 2015, which contains an invitation to the U.S. Attorney, from an outside organization, for his attendance and participation at an event. The email chain also includes communication between staff at SDNY, where one member of staff is asking an SDNY attorney to review the invitation and vetting information in order to assess whether the U.S. Attorney can attend the event in compliance with government ethics rules. The email contains the names of members of staff at the USAO-SDNY and the outside organization, and contains the contact information of some listed in this document. The first two pages were withheld in full, and the last page, which contains the name of a member of an outside organization that extended the invitation to the U.S. Attorney, was withheld in full.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

136	5	<p>A five-paged email chain, dated between April 6 and April 8, 2015, which show communications between an Attorney-Advisor with EOUSA's OGC, and an attorney at the USAO-SDNY, regarding the U.S. Attorney's attendance and involvement at an event. The email contains the legal analysis and advice of the OGC attorney on the issue that was presented by the SDNY. The email also contains the legal advice that was provided to the U.S. Attorney by the SDNY attorney.</p>	<p>WIF</p> <p>(b)(5) (ACP/DP)</p> <p>(b)(6)</p>	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other</p>
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				identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
137	4	Duplicate of a portion of the email chain that is contained in Doc. No. 135.	Same	Same
138	4	Duplicate of a portion of the email chain that is contained in Doc. Nos. 135-136.	Same	Same
139	4	Duplicate of a portion of the email chain that is contained in Doc. Nos. 135-137.	Same	Same
140	4	Duplicate of a portion of the email chain that is contained in Doc. Nos. 135-138.	Same	Same
141	1	An email chain, dated between February 24 and April 6, 2015, in which a member of an outside organization invited the U.S. Attorney to attend and participate in an event. The email contains communications between members of USAO-SDNY staff about this invitation, where one staff member requested that another obtain specific information about the event in order to conduct the legal ethics vetting process.	WIF (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably

				<p>segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
142	1	An email, dated April 27, 2015, in which a member of staff is identified. The government released this page in part, and released the remaining 19 pages of this document in full to the requestor.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal

				privacy. There are no public interests to weigh.
143	2	A two-paged email, dated April 6, 2015, in which an Attorney-Advisor with EOUSA's OGC provides the USAO-SDNY with detailed legal analysis and advice, in response to an inquiry that that was presented by the SDNY, regarding the U.S. Attorney's attendance and involvement at an event.	WIF (b)(5) (ACP/DP) (b)(6)	<p>Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(5) is also asserted to protect information which would reveal pre-decisional communications among government personnel such as discussions regarding various questions concerning rules of ethics. Disclosure would jeopardize the candid and comprehensive considerations essential for efficient and effective agency decision-making.</p>

				Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
Records Reflecting “policies, procedures, customs, traditions, guidelines, or other instructions followed by staff of the U.S. Attorney’s Office for the Southern District of New York” Responsive to Plaintiff’s FOIA Requests (contained in volume five of the “Compiled Docs” provided in the June 16, 2017 release)				
144	2	Non-public memorandum provided to U.S. Attorney Preet Bharara from the EOUSA National Records Manager relating to the creation and disposition of records	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
145	5	Non-public U.S. Attorney’s Policies and Procedures (“USAPP”) RIM-02, Departing U.S. Attorney Records Memo, maintained on USANet, setting forth guidance regarding actions to be taken to preserve a departing U.S. Attorney’s records, and attachments to the USAPP.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

Records Reflecting “information pertaining to the costs paid by the U.S. Attorney’s Office for U.S. Attorney Bharara and his staff to travel to and attend the appearances made outside of Manhattan, where U.S. Attorney Bharara has delivered speeches” (contained in the “Reports” folder provided in the June 16, 2017 release)

146	2	Cost Report reflecting costs paid by the USAO-SDNY for USAO-SDNY staff (not referring to U.S. Attorney Bharara) to travel with the U.S. Attorney to an outside appearance.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
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Attachments to Email Records Responsive to the FOIA Requests (contained in the “Attachments” folder provided in the June 16, 2017 release)

147	1	Information sheet relating to “3 rd Annual Scholarship Banquet,” setting forth the name of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
148	4	Event Vetting Sheet relating to “The Association of Business Trial Lawyers 42 nd Annual Seminar,” setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

149	2	February 28, 2011 letter from an attorney at Morgan Lewis to U.S. Attorney Bharara regarding an invitation to deliver the A.A. Sommer, Jr. Corporate, Securities and Financial Law Lecture at Fordham Law School, containing identifying information and contact information regarding a non-public figure third party and a USAO-SDNY attorney, as well as containing a request for legal advice from a USAO-SDNY attorney regarding compliance with governmental ethics requirements. This document was also released in part in volume 5 of the "compiled docs" provided in the June 16, 2017 release.	RIP (b)(5) (ACP/DP) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document. Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
150	3	Event Vetting Sheet relating to "The John Jay Iselin Memorial Lecture Series," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other

				identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
151	2	September 22, 2009 letter from non-public figure third party employee of Lankler Siffert & Wohl LLP to U.S. Attorney Bharara regarding an invitation to be the speaker at a luncheon, setting forth the name and contact information of the third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
152	4	August 14, 2014 information sheet relating to an Annual Dinner to be held by the South Asian Bar Association of New Jersey, setting forth the names and contact information of non-public figure third parties.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
153	4	Event Vetting Sheet relating to the "AAPI Annual Convention 2015," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could

				reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
154	4	Event Vetting Sheet relating to "American Justice Summit," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
155	4	Event Vetting Sheet relating to "Rockland County Bar Association Annual Dinner," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
156	4	Event Vetting Sheet relating to "District Attorneys Association of the State of New York 2016 Winter Conference Luncheon," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

157	2	Information sheet relating to 4.11.15 NAPIPA 2 nd Annual Scholarship Banquet, setting forth the name and contact information of a non-public figure third party.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
158	1	July 27, 2016 letter to U.S. Attorney Bharara from Gerard Baker of the Wall Street Journal CEO Council regarding an invitation to be a featured speaker, and setting forth the name and contact information of a non-public figure third party.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
159	4	Event Vetting Sheet relating to "CNBC Net/Net Summit," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
160	1	September 30, 2011 letter to U.S. Attorney Bharara from Corporate Board Member and NYSE Euronext regarding an invitation to participate in an event, and setting forth the name of a non-public figure third party.	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these

				documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
161	2	Event Vetting Sheet relating to "Cleary-SEO Event," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
162	4	Event Vetting Sheet relating to "Citizens Crime Commission of New York City 2015 Annual Awards Reception," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
163	2	Event Vetting Sheet relating to "The Weekend with Charlie Rose," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of

				personal privacy. There are no public interests to weigh.
164	2	Event Vetting Sheet, setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
165	4	Event Vetting Sheet relating to 9/11 Memorial Museum Event, setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
166	3	Event Vetting Sheet relating to "Sikh Centennial Gala," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
167	3	Event Vetting Sheet relating to Princeton Club of New York event, setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other

				identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
168	6	Event Vetting Sheet relating to "New York State Bar Association Criminal Justice Section Awards Luncheon," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
169	4	Event Vetting Sheet relating to "NAPIPA Second Annual Scholarship Dinner," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
170	4	Event Vetting Sheet relating to "American Bar Foundation New York Fellows Luncheon," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could

				reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
171	4	Event Vetting Sheet relating to event at Theater of Youth in Buffalo, NY, setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
172	3	Event Vetting Sheet relating to "Common Cause/NY Annual Awards Dinner," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
173	3	Event Vetting Sheet relating to "CFTC Cooperative Enforcement Conference," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

174	3	Event Vetting Sheet relating to event at Lazard offices, setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
175	4	Event Vetting Sheet relating to "Public Affairs Evening in honor of Preet Bharara" at the Lotos Club, setting forth the name and contact information of USAO-SDNY staff, as well as the names of non-public figure third parties	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
176	4	Event Vetting Sheet relating to "Compliance 2016" event, setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
177	4	Event Vetting Sheet relating to NAPIPA event at the Center at the Cathedral in Los Angeles, California, setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of

				government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
178	3	Event Vetting Sheet relating to "New York County Lawyers Association and its Committee on the Supreme Court Law Day Luncheon," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
179	4	Event Vetting Sheet relating to "Orange County Bar Association Annual Dinner," setting forth the name and contact information of USAO-SDNY staff, and of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
180	4	Event Vetting Sheet relating to "The Wall Street Journal CFO Network Annual Meeting," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could

				reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
181	3	Event Vetting Sheet relating to "MCC Chairman's Breakfast Featuring a Conversation with US Attorney Preet Bharara," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
182	3	Event Vetting Sheet relating to "New York Press Association Spring Convention & Trade Show," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
183	4	Event Vetting Sheet relating to ""South Asian Bar Association of San Diego presents Preet Bharara," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

184	4	Event Vetting Sheet relating to "Sikh Leadership Summit – Shaping Tomorrow's Global Leaders," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
185	3	Event Vetting Sheet relating to Staten Island Economic Development Corporation Event, setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
186	4	Event Vetting Sheet relating to "League of Women Voters of Scarsdale Food for Thought Fall Membership Luncheon," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
187	4	Event Vetting Sheet relating to "RPA Assembly," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names

				appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
188	4	Event Vetting Sheet relating to "SIFMA Compliance & Legal 2017 Annual Seminar," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
189	4	Event Vetting Sheet relating to "Outlook 2014," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
190	3	Event Vetting Sheet relating to "North American South Asian Law Students Association 17 th Annual International Conference," setting forth the name and contact information of USAO-SDNY staff and of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly

				unwarranted invasion of personal privacy. There are no public interests to weigh.
191	2	Event Vetting Sheet relating to "2013 Human Rights Summit," setting forth the name and contact information of USAO-SDNY staff, and the names of non-public figure third parties	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
192	3	Event Vetting Sheet relating to "Keynote Dinner Speech at Network of Indian Professional Conference," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
193	3	Event Vetting Sheet relating to "Securities Enforcement Forum 2014," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

194	4	Event Vetting Sheet relating to “Worth Leading Wealth Advisor Summit,” setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
195	5	Event Vetting Sheet relating to “15 th Annual Taxpayers Against Fraud Education Fund conference,” setting forth the name and contact information of USAO-SDNY staff, as well as non-public information, including tax information, relating to the TAF Education Fund	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
196	4	Event Vetting Sheet relating to “Financial Executives International and Silicon Valley Directors Exchange – Annual Dinner Event,” setting forth the name and contact information of USAO-SDNY staff, as well as the name of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

197	2	October 2, 2015 letter to U.S. Attorney Bharara from the Lotos Club regarding an invitation to receive an award, and setting forth the names and contact information of non-public figure third parties	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
198	2	Information sheet regarding the 2012 John Jay Iselin Memorial Lecture Series, setting forth the name and contact information of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
199	2	Information sheet regarding the 2015 John Jay Iselin Memorial Lecture Series, setting forth the name and contact information of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
200	4	Event Vetting Sheet relating to "Legal & Compliance 2017," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names

				appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
201	5	Event Vetting Sheet relating to “10 th Annual Leadership Awards Gala/20 years of SABANY,” setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
202	1	Invitation to NAPIPA 3 rd Annual Scholarship Banquet, setting forth the contact information of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
203	2	Information sheet relating to NAPIPA 1st Annual Scholarship Banquet, setting forth the name of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal

				privacy. There are no public interests to weigh.
204	1	Duplicate of page 2 of Document 202	Same	Same
205	3	Event Vetting Sheet relating to "TiEcon 2015," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
206	1	Information sheet regarding SABA San Diego event, setting forth the name and contact information of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
207	1	October 21, 2015 letter to U.S. Attorney Bharara from Managed Funds Association, setting forth the name and identifying information of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

208	4	Event Vetting Sheet relating to "Comments to MBA classes at Harvard Business School," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
209	5	Event Vetting Sheet relating to the "Anticorruption Academy in Colorado Springs," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
210	2	Letter to U.S. Attorney Bharara from Common Cause New York regarding an invitation to receive an honor, setting forth the names of non-public figure third parties	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
211	1	January 3, 2011 letter to U.S. Attorney Bharara from Blank Rome LLP regarding an invitation to speak, setting forth the name and contact information of a non-public figure third party, the names of USAO-SDNY	RIP (b)(5) (b)(6)	Exemption (b)(5) was applied to protect confidential communications between client and counsel (USAO-SDNY/EOUSA OGC, and/or USAO-

		attorneys, and a request for legal advice from a USAO-SDNY attorney to another USAO-SDNY attorney regarding the invitation		<p>SDNY/ U.S. Attorney for SDNY) made for the purpose of obtaining or providing legal advice (specifically relating to the application of governmental ethics rules to public speeches and/or appearances by the U.S. Attorney). Disclosure of this information would represent an intrusion into the attorney-client relationship, impeding the government's efforts to obtain and utilize full and frank legal advice to ensure its observance of the law. There is no reasonably segregable information contained in this document.</p> <p>Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.</p>
212	4	Event Vetting Sheet relating to the "Columbia Law School Social Justice Initiative's Visitor-from-Government Practice" Event, setting forth the name and contact information of USAO-SDNY staff, and the name of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties and government personnel, whose names appear in these documents, on the grounds that

				disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
213	4	Event Vetting Sheet relating to the "Seton Hall Law School 2016 Commencement Ceremony," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
214	1	February 10, 2016 invitation to U.S. Attorney Bharara to attend an AAPI Convention Banquet, setting forth the names and contact information of non-public figure third parties	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
215	1	Information sheet relating to Queens Civic Congress Foundation, Inc. Civic Luncheon, setting forth the name and contact information of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal

				privacy. There are no public interests to weigh.
216	5	Event Vetting Sheet relating to the "Transparency International – USA Integrity Award Dinner," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
217	2	Invitation to University of Houston Event, setting forth the name and contact information of a non-public figure third party	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
218	3	Event Vetting Sheet relating to the "Security Traders Association of Chicago Mid-Winter Meeting," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.

219	2	January 12, 2015 Letter to U.S. Attorney Bharara from TIE regarding an invitation to speak at the 22 nd annual conference, setting forth the names of non-public figure third parties	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
220	1	Event checklist relating to WAMC event, setting forth the names of non-public figure third parties	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of third parties, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.
221	3	Event Vetting Sheet relating to the "Westchester County Crime Stopper 5 th Annual Dinner," setting forth the name and contact information of USAO-SDNY staff	RIP (b)(6)	Exemption (b)(6) is asserted to protect the names and other identifying information of government personnel, whose names appear in these documents, on the grounds that disclosure could reasonably be expected to constitute a clearly unwarranted invasion of personal privacy. There are no public interests to weigh.